ALTERNATIVE APPROACHES TO DETERMINING DISTRIBUTION OF SCHOOL BOARD TRUSTEE REPRESENTATION

VOLUME I

Trustee Representation: Theory and Practice in Canada

EDWARD H. HUMPHREYS
STEPHEN B. LAWTON
RICHARD G. TOWNSEND

VICTORIA E. GRABB
DAINA M. WATSON

This research project was funded under contract by the Ministry of Education, Ontario.

It reflects the views of the authors and not necessarily those of the Ministry.

The Honourable Sean Conway, Minister
Bernard J. Shapiro, Deputy Minister

Ontario
Ministry
of
Education

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ABSTRACT

For the last 17 years, Ontario has used equalized residential and farm assessment as the basis to determine the distribution of school board trustees, a unique criterion in North America. In response to requests from school boards and municipalities for reconsideration of the basis of apportionment, the Minister of Education established the Committee on Trustee Representation. After initial study, the Committee recommended that bases other than equalized farm and residential assessment for determining trustee representation be examined. A more extensive study, "Alternative Approaches to the Determination of the Distribution of School Board Trustee Representation", was commissioned.

The purposes of the study were to:

1. examine the basic philosophical issues related to the question of what or who school trustees should represent; and

2. identify alternative methods for the allocation of representation and the data bases needed to apportion trustee positions on school boards in Ontario.

The study is reported in two volumes. Volume 1 addresses basic philosophical issues related to trustee representation and examines the Canadian experience in school board representation. Volume 2 reports on interviews in a number of Ontario jurisdictions, describes the methodology and bases used in simulations, followed by their results, and recommends alternatives to the current system.

Volume 1 - Trustee Representation: Theory and Practice in Canada is divided into seven parts beginning with part 1: Introduction.

Part 2: Theoretical Background provides an "Overview of the Principles of Representation" including various historical approaches, six systems that might be applicable to Ontario school governance, and criteria for promoting effective school-board elections.

Experience with trustee representation in part 3: Ontario is explored in two papers. The first examines in detail the evolution of trustee representation. The second specifies regulations on determining the number and selection of trustees, and outlines difficulties encountered with present apportionment.

Scholars were commissioned in each province to discuss trustee representation across Canada. Distinctive regional approaches appear in the groups of papers. Part 4: Quebec reflects the Anglophone/Francophone polarization in a series which debates the interpretation of developments in trustee representation. Part 5: Atlantic Provinces illustrates, with the exception of Prince Edward Island, the favourable attitudes held towards the appointment of trustees. Part 6: Western Provinces shows less tradition-bound solutions for trustee representation.

In the concluding chapter, "Representation by Trustees: Canadian Developments Over 200 Years", which makes up part 7, the principles upon which representation is based are drawn together with the historical development of trustee representation. This analysis provides the basis for Volume 2.

Volume 2 - Issues, Parameters, and Simulations of Apportionment begins with chapter 1: Introduction to Volume 2. Chapter 2: Issues in Eighteen School Systems considers experiences with past apportionment to uncover significant problems and to present recommendations. Chapter 3: Background to Simulating Apportionment outlines the various alternatives used in each simulation, and the definitions, data sources, and methodologies employed. The results are tabulated in chapter 4: Simulations Using Thirty-Three School Board Jurisdictions.

Recommendations for amending the Education Act, 1984 are provided in chapter 5: Summary and Recommendations. A companion study, "Simulations of Apportionment Resulting From Bill 30 and Bill 75", (bills concerned with funding Roman Catholic high schools and French governance of education) has been carried out applying simulation techniques to post-Bill 30 and post-Bill 75 apportionment. This companion study is presented as Volume 3.

Volume 3 continues the consideration of equitable representation by examining a number of related issues. First, the effects of proposed legislation (Bill 30, which provides for the extension of funding for separate schools; and Bill 75, which provides for governance of minority-language instruction) on patterns of trustee representation are simulated and discussed. Second, the method for determining the total number of trustees to be elected to each school board is examined and an alternative method is proposed. Third, the basis for determining the number of trustees to be elected pursuant to Bill 75 is questioned and an alternative, based on population, is proposed. The effects of adopting proposed alternatives are also simulated and discussed. Finally, simulations are carried out to illustrate the interaction between the board-level proposals developed in this volume and the recommendations made in Volume 2 for apportionment of trustee positions within school board jurisdictions. A series of recommendations is made, including recommendations for an integrated method for determining the total number of trustees to be elected to a school board and for apportioning trustee positions within board jurisdictions.

ACKNOWLEDGEMENTS

This is the first of three volumes which report the findings of a study on alternative approaches to the determination of the distribution of school board trustee representation in Ontario. The study was conducted under contract between the Ministry of Education (Ontario) and the Ontario Institute for Studies in Education. The study team wishes to thank the Ministry for its support and for the assistance of Ministry officials.

No study of this kind could be successfully completed without the assistance of the many trustees and officials in the schools boards and municipalities whom members of our team visited across Ontario. Their assistance was essential, their welcome was warm, and the time they took from their busy schedules was appreciated.

At the same time, we express our gratitude to personnel in four cities in the United States. They offered lucid and thorough presentations on trustee determination in their communities. Those experiences provided understandings that permitted us to examine a number of theoretical models with greater discernment, and to elicit the positive aspects of a variety of methods for attaining democratic governance.

We would like also to acknowledge the individuals whose efforts assisted in the achievement of our specific objectives. These five individuals: Michael O'Dowd of the Ministry of Revenue, George Manios and James Stork of the Ministry of Municipal Affairs, and Keith Fletcher and Robert Byers of the Ministry of Education, were most helpful in furnishing the data necessary for the simulations we carried out.

Finally, we would be remiss if we failed to express our gratitude to the members of the consultative committee with whom we met and discussed this project extensively. These members were Mr. Joseph Duffey of OSTC, Mrs. Ruth Thompson of ALSBO, Mr. David Hughes of NOSTA, Mrs. Karen Morrow of OPSTA, Mr. Jim Carpenter of OSSTA, Mr. Guy Matte of OTF, and Mr. John Boich of OAEAO. We are indebted to this committee with its representatives from the Ministry of Education, Mr. John Kenny, Mrs. Margaret Wolchak, and Mr. Lincoln Steele, whose advice we have found most helpful.

To all of these individuals we offer our thanks. We hope that our work honours their contribution.

1. INTRODUCTION TO VOLUME 1

PURPOSE AND ASSUMPTIONS OF THE STUDY

Ontario employs a unique method for determining the distribution of school board trustees - the use of equalized residential and farm assessment - as a criteria for apportionment. While tying representation to a measure of wealth may have had both philosophical and practical justification when the system was established in 1969, changes in the distribution of trustees in the 1980 election as a result of minor adjustments in assessment formulas, brought into question the validity of using this method. Various school boards and municipalities expressed concern about the new distributions to the Minister of Education and requested reconsideration of the basis on which the number of school board trustees is determined.

In response to these petitions, the Minister of Education established the Committee on Trustee Representation to

> review the present basis for determining trustee representation on boards of education, and to recommend to the Minister of Education whether the present system should be continued, or whether other bases should be examimed.

The Committee's first recommendation was:

> that the Ministry of Education examine bases other than those now provided in the Education Act for the determination of trustee representation on boards of Education.

The Committee indicated that limited solutions could not be readily offered and that more extensive study was required. This study has come about as a result of those recommendations.

The two purposes of this study were to:

1. examine the basic philosophical issues related to the question of what or who the school trustees should represent; and
2. identify alternative methods for the allocation of representation and the data base needed to apportion trustee positions on school boards in Ontario.

Underlying the study was the basic question, "How should representation be structured to ensure democratic governance?" In answering this question for school boards, two assumptions were made at the outset of the research:

1. Certain characteristics of a community are projected into the policy making for that community's schools.

2. A number of people is in consultation and their values are reflected in the decisions the school system takes.

OVERVIEW OF REPORTING: CONTENTS OF VOLUMES 1 AND 2

Study findings are reported in separate volumes. Volume 1 addresses the basic philosophical issues related to trustee representation and examines the Canadian experience in school board representation. As such, it can be seen both as serving as background material for Volume 2 and as a reference document on school governance in Canada.

Volume 2 deals with the various aspects of the study itself. It outlines in detail how the study was conducted, reports on interview results from the school board jurisdictions visited in Ontario, explains criteria and methods for conducting simulations using various alternative bases for school board apportionment, and analyses the results of simulations conducted for 33 jurisdictions in Ontario. Recommendations for alternatives to the current system as well as additional issues which came to light over the course of the study are presented.

BACKGROUND TO VOLUME 1

The study commenced with a detailed literature search on various aspects of representation. While the literature on democratic theory, philosophy, and history is vast, as is that regarding various electoral systems at the national and provincial/state levels, items on school board elections are limited and generally unpublished. It seems that school board representation has not been a matter of widespread concern - perhaps because Canada and the United States are the only two nations that govern schools through elected school boards. The low general level of public interest is also reflected by frequent acclamations and low voter turnouts experienced in school board elections.

Because recommendations for changing electoral systems should be based on a thorough understanding of the specific system, two papers on trustee representation in Ontario Were prepared. The first traces the evolution of trustee representation in the province up to the Education Act (1980) which regulates the election of trustees in the province today. The second paper identifies the specifics of these procedures and discusses a number of difficulties in the present apportionment methods outlined in briefs submitted to the Committee on Trustee Representation.

Papers were commissioned from individual scholars in each of the other nine provinces to provide parallel, if less detailed, analyses of trustee representation across Canada. A definite regional approach can be seen in the treatment of trustee representation. The eastern provinces, with the exception of Prince Edward Island, favour the appointment of a portion of trustees. Quebec reflects the Catholic/Protestant and French/English divisions in the population, while the west shows less tradition-bound methods of trustee representation.

Four cities in the United States - Kansas City, Chicago, Pittsburgh, and New York - were visited to obtain first-hand information on how each of their systems works. These jurisdictions each reflect different approaches to representation and provide working examples of different philosophies in action. While specific reports on the individual visits are not presented because the focus of this report is on the Canadian reality, pertinent issues are discussed in Parts 2 and 7 of this volume.

ORGANIZATION OF VOLUME 1

Trustee Representation: Theory and Practice in Canada, Volume 1 of the study, is divided into seven parts. Part One, the Introduction, identifies the purpose of the study, outlines the basic working assumptions, and gives an overview of the material covered in each of the volumes of the final report. Background on the general approach used in the study is described and the various parts of the report and their contents are outlined.

In part 2, the theoretical background to the study is explained in the paper entitled "Principles of Representation: An Overview". This chapter sketches various historical approaches to representation. Then, electoral systems of interest, when considering Ontario's school governance, are described. At-large districts, single-member districts, and multimember constituencies, are each considered, followed by discussion of voting procedures, such as At-large and Multimember wards using Proportional Representation's Single Transferable Vote and Preference Scoring for both Single- and Multimember districts. Criteria selected by the study team as promoting effective school board elections are then set out, as are three of the bases currently used for representation in Ontario - population, geography, and wealth. The chapter concludes with a description of the benefits of the notion of equal shares and of those related to Parity Voting.

Part 3: Ontario consists of two papers describing the history of the trustee from the time the first schools were established to the present, and the current system of representation and its difficulties. In "The Ontario School Trustee: Snapshots Over Time", Rouleen Stewart divides the evolution of local educational governance into five time-frames: 1800-1840, 1841-1870, 1871-1900, 1901-1950, and 1951-1985. For each period, she presents the context, significant legislative action, and its relation to the position of the local school trustee. In "Trustee Representation in Ontario: A Focus on the Current Method of Apportionment", Daina Watson presents an overview of trustee representation in Ontario, including voter eligibility, minority representation, the number and composition of various school boards, and present methods of apportionment. Reforms in structure, including two proposed bills (Bill 30 and Bill 75), are briefly outlined.

In part 4, Donald Burgess contributes "Quebec School Boards and the Problems of Reform". He discusses how the confessional system of school boards in Quebec reflects the cultural, religious, and linguistic differences that existed in the province prior to Confederation and how denominational differences have since become more pronounced. He credits successive governments with attempts at reform reflecting greater pluralism in Quebec, but notes the continuance of basic confessional structures. Roland Ouellet, a visiting professor at OISE from Laval University, provides a commentary on Professor Burgess' paper from a Québecois perspective. The ensuing debate, which reflects current opinions and arguments in Quebec, is presented in the next three papers. "L'évolution des commissions scolaires au Québec: Commentaires sur le diagnostic posé par Donald A. Burgess" presents Professor Ouellet's critique of Burgess' analysis of the Quebec situation. Professor Burgess responds to Roland Ouellet and finally Professor Ouellet concludes the debate. English translations of Professor Ouellet's work are provided.

Part 5: The Atlantic Provinces describes the experience in eastern Canada. Gerald Hopkirk, in "Public Education in Prince Edward Island: Focus on School Boards", traces the historical antecedents to the implementation of the present system of governance which employs five regional school boards that resulted from the 1972 reorganization of the public school system. The paper concludes with an examination of the implications for trustee representation set out by a recently completed School System Review Commission and with a glimpse into the future.

G. Llewellyn Parsons describes the history of educational governance in his paper "School Trustee Representation in Newfoundland and Labrador - Philosophical Bases and Actual Practices", Professor Parsons examines the partnership between church and state in the provision of education. His research looks at the philosophy underlying school board representation, the present distribution of trustees, and an indication of future developments in the selection of school trustees.

In their paper "School Trustee Election Bases: The Case of New Brunswick", Robin Enns and Valerie O'Hara begin with a discussion of trustee selection and responsibilities from 1802 to 1979 and of findings and recommendations in reports of the Finn-Elliot and the Office on Government Reform commissions. They discuss New Brunswick's designation as a bilingual province and the advent of bilingual districts in 1967, which has been recognized by the Department of Education in the establishment of two parallel educational services divisions. They consider the apparent ambivalence to elected school boards and the moves by the province toward greater centralization.

In "Representation on School Boards in Nova Scotia: Past and Present", Eric Ricker focuses on the history of representation on school boards in Nova Scotia and how reactionary trends often accompany important steps forward in a liberal democracy. Ricker traces developments in Nova Scotia from its days as the first province to adopt a public school act that delegated responsibility for school administration to local trustees, through its abandonment of popular control at the local level, up to the current period when only one-third of the members of city, municipal, and town boards are elected. Ricker describes the structure of representation, qualifications and terms of office of elected and appointed members, characteristics of school board members, and concludes with a discussion of minority representation.

The Western Provinces are outlined in part 6. Kenneth Woodley, in his paper, "Public Representation on Manitoba School Boards", shows the general satisfaction with the distribution of public representation which results from flexibility written into the Manitoba Public Schools Act. He indicates that, because local considerations can be accommodated, trustee representation is not a contentious issue in Manitoba at this time.

In "School Board Representation in Saskatchewan", Ernest Epp sketches the historical governance of school boards from 1870, through expansion and consolidation, to the current system established in 1978. He describes Saskatchewan's two-tiered system with Boards of Education acting as the fiscal boards for a school division and the Boards of Trustees representing the specific attendance areas of the school district. Epp notes the public's knowledge and attitudes towards school boards, the typical profile of school trustees in Saskatchewan today, and he discusses several unresolved issues in Saskatchewan.

"Representation on School Boards in Alberta" by John Bergen describes the variety of administrative units, such as independent school districts, and school divisions and counties serving mainly rural areas. He presents Alberta's county system with one elected governing body administering both municipal and educational services. He notes that the complexity of representation on the county council may raise questions of the constitutionality of the county legislation and that a minister's advisory committee has outlined a number of principles upon which a new Schools Act may be framed.

Norman Robinson, in his paper "To Have or Have Not: The Persisting Ambivalence Towards Autonomous School Boards in British Columbia", points out that in B. C. how school boards are elected has always been of less importance than whether school boards should exist at all. He traces the political struggle between the centralists and the devolutionists, a struggle that has persisted from colonial times to the present day. Professor Robinson concludes his paper with a discussion of possible changes in educational governance in British Columbia focusing on two areas: representation and control. While there is little controversy over questions of representation in the province, control issues are significant. The public in British Columbia is calling for greater local board autonomy, where local voters have greater control over school board policy.

Part 7 of the report presents an overview and summary of Volume 1 in a paper entitled "Representation by Trustees: Canadian Developments Over 200 Years". In that chapter, the principles upon which representation is based and the historical development of trustee representation across Canada are drawn together. This analysis provides the basis for the empirical work that is presented in Volume 2.

Public control through citizen participation is highlighted to emphasize the democratic bias used to approach apportionment issues in the report. Principles of Representation are examined, and criteria of effectiveness for a System of Apportionment are reiterated. The development of Representation Systems in Canada over six time periods from the early days, through the Pre-Confederation Period, the beginning of the Twentieth Century, the Post-War Developments, to Contemporary Canada are examined. The paper concludes with a review of a number of options for the apportionment of trustees. The review emphasizes that, in Canada, representation has come to be based on the population of resident citizens, with adjustments which take into account geography, density of population, and traditional boundaries.

2. PRINCIPLES OF REPRESENTATION: AN OVERVIEW

PROLOGUE

This is primarily a conceptual chapter on voting procedures for democratic governance in general and, to a lesser degree, for school boards in particular. By giving a "long view" across centuries and Western nations, we lay the groundwork for specifics in later chapters.

Our discussion focuses on rationales for methods to choose governing bodies that treat citizens as equal before the law. Outbreaks of algebra, a characteristic of this field's technical literature, are absent here. Instead, after reviewing three major traditions of democracy (Eulau and Abramowitz 1978), we describe themes within one of those traditions, that of Representative Democracy. This account then lists pros and cons of various techniques for electing representatives. Concluding, we propose criteria for elections of Ontario's school trustees and offer a postscript on unique voting procedures that might work once boards have been elected.

By "democracy", we mean a political system in which the opportunity to participate in decisions is widely shared among all adult citizens. Thus we assume that laypersons have the right to help shape school policies. Our premise is that education inherently is political, in that it must reflect needs and interests of parents and other elements of the attentive public. We hold to extensions of that basic premise too:

1. In sum, citizens typically are competent to make relatively intelligent choices about general directions of their schools' government.
2. Citizens must be able to reject advice from professional educators.
3. All advice from professional educators must be subject to democratically decided ends.[1*]

By positing such a key role for the citizen in governance, we differ from those who would put schools entirely in the hands of professionals. Educators may have a superior grasp of cause-effect relationships with respect to school directions, but if, as we believe, democracy is the exercise of political power by the people, its first principle is citizen rule, not professionals' rule.

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* All notes thus indicated are chapter end notes.

THREE MODELS OF DEMOCRACY

The city-state of ancient Athens is an example of Participatory Democracy, one of three basic understandings that people in the West have for structuring governance. Because members of the ruling boulē were annually chosen by lottery, every adult citizen had an equal chance to share in the city's public business. Government may have been by the people, but the "people" in this case were only free men native to Athens, not women, not those born elsewhere, and definitely not slaves (Larsen 1955). Certain ancient and medieval Italian communities as well as farmers' co-operatives in western Canada and the town meeting in New England were other "pure" democracies where populations governed through large meetings, without recourse to elections or representative institutions (Holden 1974). Rousseau, a leading advocate of this approach and of egalitarianism as the key element of political freedom, claimed that the general will of the people could only be reliably expressed through such "primary assemblies"; he saw the people as inevitably coming to conclusions essentially different from those that their elected representatives would reach.

As localities have grown larger than the number who could gather conveniently in a forum to hear a speaker's natural voice, less confidence has come to be placed in the efficacy of the "direct" ruling council. Not surprisingly, therefore, Canada's new Constitution makes no provision for issue-oriented referenda by the people. Yet, if many regard citizen participation in today's institutions as largely a waste of time, Participatory Democracy may still "work" for small communities with simple collective needs. As an example, since a wholesale reorganization of local government in Britain in 1972, and in response to a growing visibility and vociferousness of pressure groups, British parents are entitled to sit on governing bodies of particular schools (Packwood 1984). South Carolina, for one U.S. state, has empowered parent-teacher advisory councils at each school to write their schools' own annual reports if they deem it necessary (Winecoff 1981). Even closer at hand, in co-operatively governed elementary alternate schools in Toronto and elsewhere in Canada, parents and teachers are said to share significantly in devising educational policies (Levin 1985).[2]

A second broad conceptualization of democracy's fundamental process emphasizes competition among candidates for office in periodic free elections (Schumpeter 1942; Dahl 1956). Thus, electorates are seen as exercising control over governments by choosing between politicians who embody quite different positions on issues. Typically within Competitive Democracy, political parties enable slates of candidates to work together in challenging or defending the status quo. The spirit of these contests, though, can be quite adversarial, with voters and office-seekers pursuing their separate interests (Mansbridge 1980), without agreement on many underlying common goals. Now while a "torturous" avoidance of such party politics is very much the norm throughout Canadian education (OECD Report 1976), teams of candidates for school boards have openly competed with other teams over the past decade in such metropolitan centres as Vancouver, Calgary, Winnipeg, and Toronto (Williams 1976).[3]

As in Participatory Democracy and Competitive Democracy, Representative Democracy has the worth and dignity of the individual as an end value. To be sure, sometimes this commitment is disguised by references to "the people" or to "the electorate", but these phrases are usually shorthand expressions for the individual as the starting point in democracy's political processes. Granted that choice in all three traditions of democracy arises through the aggregation of individual preferences, Representative Democracy's central distinction is its accent on a link between one citizen as the representative and other citizens as the represented (Pitkin 1967). That link is more important in this third framework than the collective choice of Participatory Democracy or the election contest of Competitive Democracy.[4] Out of this link, the representative gains legitimacy and even authorization for his or her acts. Simultaneously, in legislative affairs, the represented may secure officials who can be trusted.

The process of being elected and thus being one of the "chosen" or elevated may make a representative of someone who is quite different from his or her constituents (Eulau 1978). Being a step removed from constituents, the representative can filter the public's "passions" (Kant 1957). Nonetheless, a tie is assumed to exist between governor and governed. Bases for this connection may be shared personal attributes, partisan views or ideologies, or common interests.

In the United States, considerable research in the 1960s attempted to measure such "congruence" of representative and represented (Miller and Stokes 1963) - as if the passage of time brings few alterations in these persons' views (Eulau and Karps 1978). Also fraught with methodological problems (e.g., Weissberg 1979; Achen 1978), this static line of "congruence" inquiry has not been actively pursued for school governance in Canada.[5] Canadian scholars have studied, though, the demographic backgrounds of elected trustees (Cistone 1974; Jakes 1982), finding at least in Ontario that these officials are predominantly male members of a socio-economic elite (i.e., the upper three classes of Canadian society).

Reflecting aspects of all three models of democracy is Canada's present system of electing school trustees. Assuredly, the directness of Participatory Democracy is nowhere near as strong as for the masters in Aristotle's polis, but at least citizens can and do help candidates of their choice in campaigns for school boards, just as these citizens can and do petition education officials. On occasion, some board members gain their offices by acclamation (or, most commonly in Nova Scotia, by appointment), thus depriving voters of Competitive Democracy's choice between candidates with different ideas. Yet, particularly within heterogeneous communities, elections nowadays do enable the grassroots to designate which of several would-be trustees (each with a personal agenda) shall speak and act in the public's name. And when citizens urge their trustee to advance their desires and interests, Representative Democracy may be said to have the capability of mediating a tension between the Participatory and Competitive modes in mass society: school boards free citizens from the time-consuming and pressured task of having repeatedly to ponder and to respond to varied, controversial, and complex demands.[6]

EARLY IDEAS OF REPRESENTATION VIS-A-VIS TODAY'S BOARDS

By examining selected philosophical bases for representation, we highlight part of the enduring logic of those who would govern present-day education. We proceed by reviewing this legacy of ideas in a more-or-less chronological order, thereafter coupling our highlights to elements of today's schools.

In a sense, boards are an extension of councils of feudal lords and landed gentry which medieval kings of Europe summoned to help preserve peace, administer justice, raise armies, and - not least - to replenish treasuries. In time, members of these royal councils came to delay giving their consent for rulers' initiatives, at least until those kings listened to grievances and promised some redress. Today, when the question is posed, "Who rules our Canadian schools?", answers vary from community to community, issue to issue. And, like council members of medieval times, various political actors (trustees, administrators, interest groups, the media, and the electorate) are increasingly in positions to consent, i.e., to hear out each others' concerns and to work for change.

In theory, feudal members of those royal councils were to act on behalf of the whole. In actual practice, however, early members of such councils may well have advanced local interests which were distinct, different, and possibly even divergent from the collective interest so cherished in theory. With the high ideals of a revolution dedicated to liberty, equality, and fraternity, France's Constitution of 1791 went so far as to put into writing the medievalists' normative theory that all areas' representatives should advance the general and total good. Local instructions to delegates were expressly forbidden because "representatives nominated in the constituencies do not represent a particular constituency, but the entire nation" (cited in Sartori 1968). Those who sit on public boards today often are similarly entreated to think of long-range interests of their whole system, not just to plead for their particular territory or for certain individuals to whom they may be beholden.

It is not, however, this French Constitution which politicians on both sides of the Atlantic approvingly cite probably more often than any other document. Rather, it is Edmund Burke's speech to the electors of Bristol, given in 1774, vindicating the right of an elected representative to independence of opinion. Burke also emphasized the deliberative function of the governing body, where men endowed with reason and unencumbered by instructions could serve the nation as a whole. These ideas of elected officials' virtual representation were written into several 19th-century European constitutions.[7]

Faithful to Burke's celebrated thesis, a "mandate" theory of representation frequently is regarded today as too exacting for any board member. Further, subservience to the masses is thought to deny the governed the best thinking of the governor. Being a conveyor of local sentiments can be viewed as impractical for the official, too: moreso even than in Burke's Bristol, communities now can encapsulate such diversities of values and beliefs that their representatives necessarily have to exercise some discretion in making choices. Especially when no single opinion prevails, today's officials ought to be free (so the argument goes) to give weight to interests of their particular constituencies and of the whole community, to produce their own integrations of conflicting demands between the particular and general good, and to vote their own consciences.

It is worth remembering, however, that Burke built his famous speech on his "Thoughts on the Present Discontents", an address given four years earlier. In that talk about North America, Burke maintained that "in all disputes between the people and their rulers, the presumption was at least upon a par in favour of the people." Burke never renounced the procedural ideas of this "Discontents" speech. Thus, while in one place Burke recommended that representatives base their votes ultimately on their own calculations, he believed equally that representatives had an obligation to discover and to take into account cues from electors, lobbyists, colleagues, and others. So, Burke's contribution to the West's thinking about representation includes more than a discrediting of those who would faithfully take instructions from voters; the Bristol parliamentarian also valued officials who decide only after systematically seeking others' considered opinions. To be sure, Burke thought that representatives could "improve" upon ideas of the people during the deliberative process. In this light, delegations that appeal to boards of education can be seen as not wasting their time and as not speaking to persons whose decisions are unchangeable. Instead, these citizens are providing occasions for public discussions that may spur their representatives to refine, enlarge, and otherwise reconsider their judgements.

POPULATION BASES FOR REPRESENTATION

Because land originally was the basic element of measurable wealth which a ruler could tax, the first representatives to those forementioned royal councils were selected from districts based on land holdings. Representation was coextensive with taxation, and represented persons were limited to those who had a stake or pecuniary investment in national prosperity. This power of the purse enabled landholders to check the ruler's will. As property came to be the standard of eligibility for electors in Europe, ostensibly "the people have acquiesced in a qualification which makes the suffrage in some measure the reward of industry" (Brodrick 1855).[8]

Then, during the 18th and 19th centuries, as royal councils evolved from advisory arms of thrones into powerful bodies that ruled over and represented the rank-and-file, Englishmen were among those who began to challenge a land-based system of apportionment. With the reform acts of 1832, Parliament turned to population as well as to geography (or communities) for bases of election to the House of Commons. As a result, newly developing and densely populated industrial cities finally had more spokesmen than small and almost-deserted country towns. The aristocratic tradition based on family and land was relegated to the House of Lords.

Some 35 years later, "Rep by Pop" was the slogan on which George Brown, the crusading editor of the Toronto Globe, campaigned for Confederation for what was to become Canada. Views other than Brown's were heard, and Representation by Population became (along with geography) only one of the ingredients for determining the apportionment of Federal representatives. At the provincial level, Ontarians also adopted both population and geography as bases for representation (Schindeler 1969). Ultimately the principles for legislatures in Ottawa and Queen's Park were also applied to the province's school boards.

VOTING PROCEDURES OUTSIDE ONTARIO

One quite significant method which is not part of Ontario's (or Canada's) arrangements for public elections is Proportional Representation (PR). Stemming from ideas of French rationalists who wanted to represent the "true wishes" of their nation, the idea of PR was simultaneously stated in the 1850s by Thomas Hare in England and Carl George Andrea in Denmark. John Stuart Mill called it "among the greatest improvements yet made in the theory and practice of government". The voting situation that Mill was reacting against arose when citizens had to choose between three or more possible representatives. In such situations:

1. only voters' first preferences count;
2. the candidate with a majority or plurality is elected for a district on a winner-take-all basis, meaning that authority to represent the district may be assigned to a candidate who may have received half or less of the votes; and
3. many voters do not even have their first choices taken into account: for those in constituencies where their candidate wins, votes are "wasted" that are in excess of the total needed by that candidate. For those in constituencies where their candidate loses, all their votes are irrelevant to the final outcome.

By contrast, PR awards seats in multimember districts to mirror the share of rank-ordered votes that candidates attain. Those able to meet a certain predetermined quota are elected, and their supporters' excess votes are transferred to aid second-choice candidates. In this manner, minorities and small parties gain (again in Mill's words) their "fair and equal share of influence." As a form of proportional representation, the Single Transferable Vote (profiled in the next section) has been in use since 1970 in elections for community school boards in New York City. Blacks and Hispanics consequently have been elected more often than before, but the system has been very costly to operate ($4 million for the 30 area school boards' elections).

In the late 19th and early 20th centuries, other electoral systems were fashioned but did not take root in Ontario. These innovations aimed to make possible the representing of positions taken by more "natural" interest groupings. Disappointed that he could not develop a reliable examination procedure to chose electors who were intelligent, J. S. Mill proposed occupational status as a criterion. Others expanded this idea of functional representation, whereby various economic, professional, or learned groups could be ensconced in legislatures, a doctor representing doctors, a tradesman standing in for his colleagues, and so forth. The rationale was that a person's job or status reflected his true community more than the geographic territory in which he happened to live and vote.[9] Aside from emphasizing material interests of impermanent groups, such proposals were faulted for an inability to assign persons with more than one professional or functional affiliation (Congressional Quarterly, 1966). Religious or racial differentiations were thought to be more relevant - emotionally as well as practically - to citizens than occupational groupings.

Still another idea foreign to Ontario is fractional voting. Through it, a representative casts votes weighted according to the size of the population of his or her district. In 1967, several counties in New York State introduced this approach, only to be criticized for enabling a few units to dominate and for insufficiently recognizing legislators' multiple roles (Grofman and Scarrow 1981). To critics, it seemed impossible to weight officials' other vital functions, such as service on committees and influence on others.

Finally, democratic theory centring on the individual leads to the egalitarian "one person, one vote" principle - or so American courts maintained in the 1960s and 1970s (e.g., Baker vs. Carr).[10] At first, this conclusion came after deploring the use of literaacy tests for voting rights and after questioning the legitimacy of relatively underpopulated rural areas being able to send as many (or sometimes more) representatives to Congress than crowded urban cores. Before long, however, this somewhat complicated rule was applied to school boards. And in Calderon vs. McGee, the decision struck down procedures that enabled an entire city to constitute a single district. It was thought that councils elected in this at-large fashion (rather than on a ward basis) tended to be made up of white, middle-class people residing in a few of "the better sections of a city" (Zimmerman 1982).

The U.S. goals of reapportionment (the reassignment of legislative seats to electoral districts) also came to be realized through redistricting (the actual drawing of new boundaries on a map). In the wake of change, however, certain advocates of civil rights doctrine were deemed "simplistic": they tried for mathematical exactness in equality of population through redistricting.[11] Yet the principle that each American vote should count the same is a "symbol for our aspiration for fairness" (Dixon 1968).

Population bases have usually been the total population (e.g., not student populations) as enumerated by the U.S. Census Bureau. American courts have decreed that other bases are acceptable if they give effect to a fair and rational state policy. Short-term or temporary residents, aliens, and criminals may be discounted. Similarly, either registered or actual voters may be justified as population bases. The burden of proof rests with the state. If, for example, the state excludes summer residents from legislative representation while including minors of year-round residents in part of its population base, the state would need to show how those children are more deserving than summer people (Tucker 1985).

On our side of the border, the general principle of "one person, one vote" has adherents, albeit ones who have been less inclined to litigation. Federal ridings in Canada have been designed with this egalitarian principle in mind, to represent approximately 100 000 residents each, and periodically election officials at provincial and local levels are urged to work towards district equalization.

A pure application of this principle is not always workable. The Canadian approach to government is somewhat different from the populism of the Americans. Practical problems may exist too in efficiently representing large areas of the North. Ontarians have inherited, moreover, a districting system that respects traditional boundaries, communities of interest, population trends, and farm and residential assessments. The emphasis on equality of representation (individualism) of democratic theory may run counter then to other values (e.g., community representation, efficiency in the delivery of services, a desire for minimal change).

To this point, this section has summarized what many different persons believed about representation apart from political partisanship. Down the years, these ideas have left a residue of concerns. It is against this historical backdrop that we now look at six voting procedures that currently are in operation or that might be applicable to Ontario's school governance. To provide a springboard for discussion, we recapitulate strengths and limits that frequently are mentioned in Weaver (1984) and elsewhere in the technical literature.

We cite these arguments in a sequence that strikes us as suitable for non-party governance of education in Ontario. As is appropriate for a chapter emphasizing representation, we place points affecting modern democratic character ahead of those that are strictly pedagogical or administrative.

AT-LARGE DISTRICTS

In certain urban areas (they are "defined cities", and the definition has been made by legislative act), Ontario's principle of representation by population operates through at-large or through ward (or district) elections. A logical starting point for this section, then, is the format through which trustees are elected on a city-wide basis. A first advantage of this system echoes an earlier-cited hope of France's revolutionary Constitution of 1791.

Arguments for At-Large Districts (Majority/Plurality Voting)

1. Advances the General and Total Good - The entire jurisdiction can be represented by officials who have "the big picture". Such trustees might be unconstrained by partisan or parochial viewpoints that may be brought to the board by representatives of special subareas or subpopulations. With everyone holding a holistic perspective, unprincipled brokerages among advocates of different interests can be avoided. Then representatives can opt for rational policies that all educators accept - rather than less pedagogic ones that may be dictated by shady "politics".

2. Governing Is Complex - Ours is an era when many rapidly changing issues impinge upon the representative, when policy making is intricate enough to create a deep and wide gap in

information between governors and governed. In such a time, an at-large system confers on elected officials a necessary freedom. Knowing that they cannot be dismissed by any single faction, representatives can act as they see fit. Plainly, it is their careful judgement that is needed when, however grand that ideal, prior consultation with an electorate is just not possible.

3. Easy to Operate - To have each vote count the same, officials do not have to redistrict continually. Equal populations among districts do not have to be balanced each time, and complex formulations for determining jurisdictions are not necessary.

Arguments Against At-Large Districts (Majority/Plurality Voting)

A first drawback is the one that the American courts found in their judgements favouring reapportionment in the 1960s.

1. A "Sweep Effect" - At-large elections can be a means for certain groups to attain control over others (Davidson and Korbel 1981). That control could emerge as an ethnic group or a type of voter obtained a bare majority, winning all or most of the seats at stake. In effect, a fragile majority is permitted to defeat the minority, or all minorities, on all fronts. For instance, in the event of ethnic-oriented voting, there may be a dilution of the impact of votes cast by Francophones in the largely English-speaking areas of southern Ontario (or, for that matter, of Anglophones in largely French-speaking areas of eastern Ontario). Put another way, group-oriented candidates with less than 20 per cent of the total ballots might lose - even though they had mustered 100 per cent support from their own fairly sizeable wards.

2. Escape from Accountability - Although particularism has its dangers, so do large governments whose representatives speak only for an aggregate, disclaiming responsiblity to any group or groups. In the latter case, accountability may well be so amorphous and diffuse that governing bodies turn out to represent everyone and therefore no one. A community that has a concern over the lack of a traffic light at a school crosswalk then might have no one in particular to approach for help. The possibility exists, then, that demands will only be dealt with, if and when they (1) percolate to area-wide levels and (2) are backed by electoral pluralities. And unless the media closely follow the doings of all officials, unique efforts of different representatives may be somewhat obscured in the large field of city-wide levels. An implication is that, in contrast to the at-large system, ward representatives' records might be better spread before their voters. (As will be seen below, the spectre of media inattentiveness - or of strategems by politicians to manipulate the media - can be invoked against ward procedures.)

3. Students in Different Districts May Have Different Needs - While trustees generally may not immerse themselves much in instructional matters, those among them with the "big picture" may advocate a unitary, one-best policy for all learners. However, students in assorted districts may be varied enough to require altogether different pedagogies. At the

same time, the purely "rational", cut-and-dried approach sought by a cosmopolitan board member may be illusory, because pedagogues themselves often have sound reasons for disagreeing about goals, strategies, and tactics.

SINGLE-MEMBER DISTRICTS (MAJORITY/PLURALITY VOTING)

This contrast to the At-large system is an option for all but the most populous of Ontario's school districts (which have a third arrangement covered below, multimember districts). In championing the election of a representative for each of several wards within an area, proponents can put forward at least five arguments.

Arguments for Single-Member Districts (Majority/Plurality Voting)

1. Opportunity for Locals - Instead of having to campaign across a sprawling area, candidates can concentrate on winning support within their small districts. This may increase the chances of candidates with less access to funds and with less-extensive reputations.

2. Accessibility - Constituents may perceive their representative as more accessible than someone who operates at some distance, mostly at a broad and remote area-wide level.

3. Coverage - All geographic divisions within an area can have a spokesperson, thereby ensuring that all communities may be heard from.

4. Closeness - Representatives who live in their districts may be closer to their constituents - in geography, background experiences, and socio-economic interests. Alert and sensitive therefore to voters' preferences, these officials could find it easy to be responsive, easier than if they had to stay abreast of all the particular needs of a whole system's students.

5. Interest - When head-to-head competitions occur between candidates, healthy citizen interest and participation may be generated. Voters may be "drawn" to the polling booth.

6. Simple Ballots - When as many as 40 candidates run in At-large elections (which still occur, for instance, with the Ottawa Separate School Board), voters have a surfeit of alternatives to sort out. The task is more manageable with the ward system, when voters have only to be informed about a few candidates.

Arguments Against the Single-Member District (Majority/Plurality Voting)

Partisans of the ward system sometimes combine a historical interpretation with a normative preference, saying that because their system has worked well in the past (history), it deserves to be continued (normative). In spite of these partisans' zeal, an equal number of drawbacks to the single-member district can be enumerated:

1. Loss for Minorities - Members of minorities - ethnic and ideological - may end up being underrepresented on governing bodies. Granted, their candidates may win, and win big, in those few districts where minorities are concentrated. Yet such ethnic or racial groups may be so thinly spread throughout the rest of an area that their delegates fail to capture any other districts' seats. In those districts, minority sentiments may be unfairly suppressed.

2. Gerrymandering - Even when undertaken by neutral commissions, no matter how ward boundaries are drawn, some groups are likely to be advantaged, mustering a critical mass to elect "their" candidates while others are disadvantaged (Johnston 1984). In Canada, as well as other nations (Dawson 1935), one person's "rational" formula for apportionment can be prejudicial to another.

3. Parochialism - Voters' interests and influences may be confined to a local delegate who is so affected by local ideas that he or she typically represents only the most narrow of interests. When apportionment follows local cultural boundaries, cosmopolitan concerns of a whole jurisdiction may be neglected.[12]

4. Escape from Public Scrutiny - Because ward politics may be fairly obscure and outside the glare of publicity, the representative's record may elude close scrutiny from the press and public. Self-serving of powerful cliques may then go relatively unreported or even unnoticed.

5. Apathy - The custom of low turnouts of voters for board elections may continue unchecked; those who vote, will continue to do so, and those who don't vote will persist, even with this voting procedure. Head-to-head contests in wards may thus not be able to stir citizens' interest because no more than one-fifth of the electorate may be inclined to vote. (And many of those who do vote may be teachers protectively backing candidates who support wage hikes for teachers!) Indeed, small districts may be so demographically homogeneous that candidates do not espouse interests that are noticeably divergent. A consequence is that elections may be mostly popularity contests, not searching debates on educational issues.

6. Expenses Will Mount - When running in At-large districts, candidates may have low-profile campaigns, doing little more for publicity than distributing flyers at All-Candidates meetings. But with intense competition on a ward basis, candidates may feel compelled to spend more money, circulating brochures to every household in their ward.

Evaluating such a bundle of negative considerations some 30 years ago, one political scholar was caustic in his rejection of single-member districts. The very idea of them is one which, according to Van den Bergh (1955):

> has been out of date for over a century and which is essentially unsuitable for our mode of democracy. This idea, which is feudal in origin, still partly fits into the sphere of the limited monarchy. Democracy, however, demands representation of ideological-political currents, and these recognize no

> local boundaries. In the light of modern conceptions, the system of single-member constituencies represents an inadequate and clumsy attempt at building a twentieth-century political system on medieval foundations.

MULTIMEMBER CONSTITUENCY (WITH MAJORITY/PLURALITY VOTING)

Multimember districts, such as those that Ontario allows in certain metropolitan wards, are a way to represent those ideological-political currents valued by Van den Bergh. In this arrangement, with plurality voting, the relative majority (also known as first-past-the-post) which earns the most votes also wins the several seats. The preceding arguments for and against single-member districts also apply to multimember constituencies.

Arguments for Multiple-Member Districts (Majority/Plurality Voting)

1. Minority representation - A considerable minority in a district might elect at least one candidate, and that election might lead to opposing ideas thereafter being generated from the same ward. The ward's non-monolithic character therefore can be better represented. This social argument (in terms of groups with divergent interests) can be expressed in terms of the individual, as in the next paragraph.

2. Breakthrough Chance for Some Candidate - A fair opportunity is given to some people who, under a single-member system, have great difficulty in even becoming candidates for winnable seats. Electorally speaking, the opportunity structure for office-seekers is enlarged (Hamilton 1980).

3. Range of Choice - With several office-holders to approach, voters can interact with a sympathetic representative. For example, a right-wing voter may end up with suitable representation, i.e., this voter is not forced to regard a left-wing representative as his or her "link".

Argument Against Multimember Districts (Majority/Plurality Voting)

Fragmentation - By encouraging majority and minority opinions from each ward, this system may set conflicts in motion at the board level. Also, with more trustees wanting to explore, speak, and vote on each issue, decisions may be delayed. The governing body's very stability and decisiveness might even be threatened.

AT-LARGE AND MULTIMEMBER WARDS (WITH PROPORTIONAL REPRESENTATION'S SINGLE TRANSFERABLE VOTE)

PR probably offers the most significant change in voting procedures for today's school boards. If all candidates were to campaign at-large throughout the jurisdiction or in multimember districts, Proportional Representation generally would work like this:

> A voter tops a preference list, presumably with a candidate who shares an interest in some matter the voter thinks important; the citizen goes on to rank-order the other candidates. Proportional Representation is the consequence of a series of steps taken by election officers. A quota is calculated using the Droop Formula (named after its Belgian creator, H. R. Droop). The total number of valid votes is divided by the number of seats to be filled plus one, and one is added to the quotient. Hence, if 100 000 votes are cast and 9 seats are to be filled, the quota equals 100 000 divided by 10, plus one, or 10 001. Election officers count first preferences and declare elected any candidate who secures the quota. If winners have ballots in excess of the quota, those votes are transferred to other candidates according to voters' second preferences. Similarly, other surpluses for subsequently elected candidates are transferred, and if any seats are still vacant, the candidate with the fewest votes is eliminated. That loser's votes are transferred to his or her ballots' second preferences, and so on - until all seats are filled by candidates meeting the Droop quota.

Arguments For Multimember Wards (Single Transferable Vote)

Proportional Representation avoids the "sweep effect" of the At-Large electoral systems with majority/plurality voting, and without most of the difficulties inherent in the Single-Member District. More particularly, the following consequences are claimed:

1. Accuracy in Mirroring the Voters' Preferences - Because its elections are like censuses of opinion on how to govern, PR is a step toward representing the full diversity of a jurisdiction and thereby the jurisdiction itself. The Single Transferable Vote also ensures a measure of representation - at least proportionate to their numbers - of women, as well as cultural and ethnic minorities (Hallet 1984; Hermens 1984; Lakeman 1984). This approach contrasts with plurality voting, where those who "top" the polls in single-member districts capture their constituencies' solitary seats - even if their plurality is quite meagre.

2. Encouragement of Consensus - Because diverse elements are elected to governing bodies through PR, elected officials find that they have to accommodate each other. They have to co-operate on the development of policies that avoid or mitigate conflict; put another way, boards and councils need to integrate the values of representatives whose constituents might otherwise grow alienated from their governments. Additionally, PR's representatives have to direct their action to the interests of voters across an ideological spectrum, not just to one group. Through PR, voters as well may come to appreciate consensus: in having to rank-order the office-seekers, voters are forced more or less to recognize degrees of excellence among candidates.

3. Less Possibility of Gerrymandering - When all districts are required to have at least two seats allocated on a PR basis, fewer chances exist for boundary-drawers to systematically disadvantage any one group. The establishment of district boundaries is so sensitive a process

that it easily can engender disputes. But because PR mirrors electoral preferences, few groups may feel they have been victims of discrimination.

4. Relatively Easy to Understand - At first, the general approach of ranking candidates may be different or confusing enough to intimidate voters, but with each election the public understands the system better. To be sure, the Droop Formula's quota and counting procedures can be somewhat intricate, but these methods need only concern election officers. In the past, caprice could affect these officials' allocation of paper ballots and their reallocations during successive counts. Nowadays, however, this element can be lessened, thanks to the computer-processing of electronically scanned ballots.

Arguments Against Multimember Districts (Single Transferable Vote)

Still, PR is no panacea, as critics have discerned from reflection and from watching that system work in most nations of western Europe.

1. Election of Parochials - Candidates with narrow perspectives may gain seats, as may single-issue extremists who would not have prevailed in at-large or single-member districts. 13

2. Lack of Firmness of Political Direction - By allowing a share in the public business to representatives from a range of factions, the Single Transferrable Vote process may slow down the decisiveness of the governing body. Opportunities may be lost as too many chiefs insist on putting their imprimaturs on policies, thereby causing delays.[13]

3. Complexity - As compared to the simple marking of X on majority/plurality ballots, the Single Transferable Vote is more complicated for the electoral officers to handle. Training is necessary in setting quotas and crediting votes; expensive recounts might be demanded frequently.

4. Imbalances in Political Arithmetic - The Single Transferable Vote can have curious impacts in certain circumstances of ballot-counting. For one, all voters are supposed to rank all candidates from most to least preferred, and an imbalance arises if this is not done. Some ballots then count more frequently than others, gaining an advantage for their preferences (Brams and Fishburn 1984).

Worst of all is the violation of a basic ethic of the STV system, that transferred votes are supposed to assist their candidate on to victory. A certain amount of chance exists because the order of voting is determined by lot, and if the returning officers' first counts indicate that a certain candidate has too few votes for meeting the required quota, that candidate is eliminated. The order of this elimination is critical because a loser's votes are shifted to remaining candidates, enabling certain of them to win. Ballot rankings then can crudely oscillate in their relative impacts - the counting process is such that, in mathematical terms, values can be so inconsistent (non-monotonicity) that high preferences do not always carry the greatest weight.

PREFERENCE SCORES (SINGLE AND MULTIMEMBER DISTRICTS)

In Australia, where failure to vote is an offense (which brings a fine), several features of elections are unusual. Partly in an effort to assure accurate representation of all elements, electors in certain single-member wards are required to rank-order all the candidates preferentially. Then votes are counted with attention to quota preferential scores so that, in the end, the elected member for each constituency is preferred, by a majority, to all other candidates. This "quota preferential scoring for single-member districts" approach is different from simply marking an X beside one candidate's name, where the one with the most votes wins (the plurality system).

This Australian scoring is intended to prevent those single-district situations where a candidate can win even though a majority of electors vote against (or low-rank) him or her. According to Wright (1984), however, this particular system fails to meet its ambitious goals because, in the end, usually somewhere between 40 and 50 per cent of the electorate's first preferences are not elected.

More successful and suggestive for Ontario is the "quota preferential scoring for multimember districts". Again the goal and the counting is not for plurality, but for majority support - this time for several candidates. In Australia, if about 20 candidates usually compete for seven seats, it turns out that this range of choice permits about 70 per cent of the voters to see the election of their first preferences.

Preference scoring in Australia also appears to mitigate at least one of the procedural imbalances cited above with the Single Transferable Vote. Australians get around the problem of incomplete ballots simply by enabling their electoral officers to declare invalid those ballots that fail to rank-order at least 90 per cent of the candidates.

For that nation's 1982 election, use was first made of a system of rotating the names of candidates on ballots so that all names had approximately the same exposures to favoured top-of-the-ballot positions (Wright 1984). Reputedly, these diverse printings of the ballots were well received.

Dummett (1984), a British theoretician interested in speaking to designers of electoral systems, has recently concluded that the procedural imbalances of the Single Transferable Vote could be overcome through quota-preference scoring. He is somewhat vague about it, but he also postulates that the rules for such a system can be created to protect minorities.

ON ETHNIC DISTRICTS

From time to time, suggestions are made that Ontario's minorities might be better represented either by their own boards (the wish of Francophones) or by designated seats on existing boards (the situation for native Indians). In this connection, it is instructive to note other countries' approaches to the representation of key minorities.

Although major exceptions to this generalization exist, previous research in the U.S. has demonstrated that when minorities are involved, voter preferences tend to follow a distinct pattern: by and large, each group votes for candidates of their own ethnic background (e.g., Garcia 1979). Data also indicate that minorites are better represented in single-member districts than in at-large electoral structures (Vedlitz and Johnson 1982). A drawback to the ward system is that, in effect, "minority seats" are created and that they typically represent only the view of the dominant minority, not of numerically smaller minorities within the ward. Proportional Representation, by contrast, is occasionally proposed for its capacity to recognize all minorities, not just "establishment" ones (Picard 1984).

As an additional device to guarantee Black or Hispanic influence, "affirmative gerrymandering" is sometimes proposed (Grofman et al. 1982). By this approach - still largely in the talking stage - boundaries would be defined so that particular groups would be in the majority in a proportion of districts equivalent to their proportion of the jurisdiction's whole population.

New Zealand has a different approach to protecting its main minority. Specifically, four of New Zealand's 91 electoral districts are set aside for the country's Maoris to elect their own federal delegates (Lijphart 1984). Separate registers of ethnic voters are available for these natives, an assumption being that these peoples deserve to be recognized as official minorities.

For some, objection can be taken to the principle of registering (or "separating") individuals according to their minority-group status. Isolated within their own permanent districts, they might be discouraged from entering into the mainstream of governance. On many issues, such a permanent minority in a governing body might be disinterested or powerless. New Zealand's government is not rigid in its approach, however, for it gives the Maoris a choice. Either they remain on the separate ethnic registers of their own communities, or they can sign up to vote in general elections for the country's 87 other districts.

From the recent example of Northern Ireland, we can see that the introduction of a different voting system does not necessarily "solve" problems of governance. To protect the Catholic minority there, Britain's Parliament implanted Proportional Representation for the major legislature. Sadly, however, fundamental Protestant-Catholic cleavages in that society continue (Rose 1984).

We cannot leave this topic without at least posing the nagging question: Will voting devices to help minorities gain more representation be resisted out of a fear that such changes will occur at the expense of others' representation? Data on this point are not available, but a reasonable response is "perhaps so" - because democratic values in a society shape the mood for minority representation more than mere procedures for voting systems.

FIRST-ORDER CRITERIA OF EFFECTIVENESS FOR BOARD ELECTIONS

Conceivably, Ontario could take steps to enhance Participatory Democracy, as well as Competitive Democracy, for education. For this report, however, we shall confine ourselves to reflecting on steps to structure Ontario's Representative Democracy. Accordingly, we do not propose more authority for citizens to share in the direct governance of individual schools, nor do we urge that political party affiliations be printed on ballots for board contests. In short, we assume that Ontario's boards of education will continue to function with the same authority that they have now. The question then is, "Given the province's needs, what is the best electoral system for those boards?"

Political science and history give us no sure guidance for answering the question. We can anticipate, moreover, that because each system has its theoretical and practical defects, altogether new problems would be created by any substantial changes in voting procedures and population bases. For example, after adopting the Single Transferable Vote for community school boards, New York City found that many citizens still did not go to the polls. Evidently, in the City's multimember districts, so many candidates were running - for a single ward, the range in 1973 was between 18 and 45 - voters found it difficult and discouraging to have to rank-order all their preferences. Voters could not be adequately informed (Rubin 1973).[14] The point is that changes in electoral systems can be expected to produce problems, perhaps more interesting difficulties than in the past, but problems nonetheless.

The key problem of Representative Democracy is not the matter of voting procedures but rather reflecting citizens' votes in such a way that majority elements in society are not opposed to the reflection. First-order criteria for promoting effective board elections can thus be seen as twofold:

1. methods of apportionment must be acceptable to the majority, i.e., optimally they should not be highly controversial to most citizens; and

2. they must fairly express citizen wishes, i.e., the methods should express a majority of voters' intentions about who shall govern.

(We turn to second-order criteria shortly.)

As a subsequent chapter will report, different groups in the province are sensing various problems with Ontario's procedures and data bases for school elections. Present systems may seem acceptable to the majority - the very representativeness of school boards appears to have been an issue for only a small portion of the electorate. But at least in the perspectives of these critics, certain characteristics and wishes of their communities are not being projected into school policy making.

By way of response, the province could assign Ministry officials to work with boards in redressing the most vexing and impracticable components of apportionment formulas, e.g., incremental changes could be made in certain population and assessment bases, and geographic boundaries in certain communities could be adjusted. Probably, through this gradual and piecemeal process, the province could maintain good working relationships with those who specifically challenge the existing system. In addition, such a step-by-step approach probably would meet those two first-order criteria stated above, i.e., the incrementalism could be relatively non-controversial and acceptable to majority interests.

Every time an interest group is intense in its complaints, this prudent approach could be invoked. Because this sort of tinkering could extend for a considerable period, critics may call for more strategic and fundamental changes. These reformers may hope for less of a "band-aid" solution.

SECOND-ORDER CRITERIA OF EFFECTIVE ELECTORAL SYSTEMS

A comprehensive strategy of apportionment is universal equal suffrage. It is not usually controversial in a democracy and, by definition, such a principle also carries forward the intentions of all citizens.

Ontario's existing formulas for apportioning trustees do have two elements that can facilitate this goal of "one person, one vote" - the geography and population bases. Ontario's third element, a reliance in certain cases on farm and residential property assessments, may be understandable historically and justifiable on the political grounds of respecting an important power bloc that had been accustomed to overseeing its own small schools. But this third element does not square with Representative Democracy's ideals that everyone should be allowed to vote and everyone should have the same number of votes. Solely on the liberal grounds of individual rights, a case can be made against a system that allows some voters a bigger voice on the basis of property ownership. Plainly put, the value of universal equal suffrage would lead to diminishing or even abandoning the edge now given in county board elections to rural ratepayers.[15] When seats are reapportioned every three years, populous urban areas - by this value alone - would no longer have to lose trustees to sparsely settled but highly taxed farm areas!

A related democratic and comprehensive criterion of effective elections, probably controversial more in practice than in theory, is the notion of Equal Shares (Still 1981). Each citizen has the same stake in an election or share in the official government. The aim is to avoid situations where 1000 voters of four small towns (which have one unit vote for the winning candidate) weigh more heavily than 99 000 voters within one large urban district. That imbalance occurs when voters in the hypothetical small towns each have 1/250th share in a unit vote as compared to the urbanites' 1/99 000th share. On the other hand, balance occurs when district representation is directly proportional to district population.

Difficulties come in trying to apply the equal-shares principle. From time to time, extensive and expensive redistricting may be required. Here are several benefits and costs that have been observed in such efforts to achieve equal population balances across districts of a jurisdiction:

1. If the newly designed districts contain interests that are largely homogeneous, the advantage is that representatives can quickly ascertain this majority's orientation on assorted issues. The disadvantage is that minorities in those districts may permanently lack a like-minded representative.

2. When (in the name of equal shares) boundary-drawers create constituencies that are heterogeneous, very likely candidates will be so competitive that voters will have a genuine choice of representatives. The drawback is that this heterogeneity may generate excessively hard-fought and divisive contests. As well, winners may be so insecure that they become overly responsive to short-run shifts in the electorate's sentiments.

3. When formal criteria are applied to the design of equal districts, the results may be homogeneous or heterogeneous districts, with the above benefits and costs of each. Although intentional gerrymandering may be forbidden, in some contexts boundary-drawers may inadvertently favour, or discriminate against, identifiable groups.

So, those who look for redistricting to provide an easy, economical, once-and-for-all, majority-pleasing, controversy-free, and opinion-reflecting solution may be discouraged. This may be reason enough to discourage a government from entering the redistricting thicket.

A case can be made, however, for the criterion of purposeful representation of minority viewpoints, ideological as well as ethnic. Without those viewpoints, the questions asked and the thought patterns used may only reflect an established group;[16] closing out specific groups for one reason or other may result in a static culture, where minorities may not contribute their particular world-view to the total effort. The majority-rule method now in place in board elections requires that if one candidate has majority support, only that person is chosen, possibly denying a voice at the board table to supporters of minority constituencies.

On the other hand, with the premise that the governing body should be a microcosm of the electorate, Proportional Representation allows groups of voters to receive the proportion of board seats that they have in the total electorate. Thereafter, these groups' values might be more often reflected in decisions that school systems take. PR's Single Transferable Vote might therefore be a way to counter the occasional claim that Ontario's present distribution of board seats is out of date, an accommodation to competing interests that existed in an earlier period. Australia's Preference Scoring approach for multiple-member districts may also be a way of ensuring equitable minority representation.

We are not in a position to say how controversial and reflective of citizen values such complicated voting procedures might be for Ontario elections of school boards. We suspect that they might be valued in urban communities more than in suburban and rural ones. That is, because the system may allow minorities a symbolic representation (based on ethnic similarities between official and citizen) which the majority may not wish, we expect this method would appeal more to ethnic minorities than to majorities in heterogeneous districts.

In a highly rough-and-ready way, a board could forecast its own PR profile simply by projecting into board seats the proportion of different groups in its electorate. One arguable assumption could be that native Indians, urbanites, rural dwellers, Roman Catholics, non-Roman Catholics, and varied multicultural groups would each vote in a bloc. Such mass voting might not occur, but it might be illuminating for boards to consider what their revised line-ups would approximate in Proportional Representation's terms of majorities and minorities.

As sketched in an earlier section, New Zealanders have another approach to assuring minority representation on governing bodies. In part, their arrangement resembles the Ontario Ministry of Education's recent commitment to guaranteed representation of Francophones on boards for systems that have classes for Francophones. At this point, we do not know whether or not still further ethnic registers and districts would provoke controversy in Ontario elections for school boards. So, in several interviews for this study with knowledgeable officials in education, we began to "test the waters" on this method. For one reason or other, respondents were either enthusiastic or resigned to this approach for Francophone representation but unsure of, or against, its application for other ethnic groups.

Finally, for the effective board election, sensitivity to local needs is a criterion (some would say this is the premier criterion). An electoral system that functions in a small northern town of 4000 may be quite different in its formulas and procedures from one that operates in a metropolis. Different communities have matured in different ways; therefore, skepticism is an appropriate attitude towards any proposal that would monolithically treat diversities with one universal prescription. With this principle in mind, one could commend strategies suitable to the size, history, and location of boards.

A POSTSCRIPT ON PARITY VOTING

While the purpose of this study is to describe and assess various approaches to representative government for Ontario schools, voting procedures within representative bodies may be a relevant allied topic. Sometimes referred to as "parity voting", the method we relate here is focused on forcing a group to reach consensus. In that regard, this form of voting differs from the usual approach wherein simple majorities (or, on important issues, majorities of two-thirds or more) are required to decide whether or not a given motion will be adopted. Instead, a method of voting is used to force the body to reach a decision on which all agree. A "catch" exists to this approach, however: in cases of deadlock, a higher power is given the right to intervene, arbitrate, or decide the action.

Two examples of parity voting are drawn from disparate settings.

Our first example is drawn from arrangements in England for the development and approval of a syllabus for religious instruction which the Education Act of 1944 requires be developed by all local education authorities. Because that syllabus must be non-sectarian and because religion is invariably a controversial matter, a clear need appears for community consensus. As Parry (1971) writes:

> The device by which agreement is to be reached is remarkably clever. The votes are limited to four, one for each committee of the conference convened to reach a decision, and each committee is formed of persons representing a particular interest, viz., the denominations, the Church of England (except in Wales and Monmouthshire), teachers associations, and the (local education) authority. When the conference reaches unanimous agreement on a syllabus of instruction, the authority is empowered to adopt it, and if the conference fails, the Minister is then empowered by similar means to reach an agreed settlement.

Thus, power is not related to the number of representatives or to the happenstance of who attends the conference. If no agreement is found, all are equally deprived of power, because the decision will be made at a higher level.

A second example of consensus voting is taken from the system of "shared governance" used in the school system of Salt Lake City, Utah. Developed by Superintendent Don Thomas, four principles underlie this approach: delegation; consensus and parity; review and appeal; and trust, openness, and equity. The second principle - consensus and parity - is of interest here. Under it,

> local school and central-office governing councils and committees are urged to keep talking until all parties reach agreement. If consensus cannot be reached, parity voting is tried. Each party casts one vote; and on the remediation terms (for teachers whose performance has been unsatisfactory), the administration's two representatives get one vote each and the two SLTA representatives get one vote each.
>
> When a committee resorts to parity voting because it cannot achieve consensus, it explicitly acknowledges that an impasse exists and it forfeits the decision to the superintendent or, ultimately, to the board. Thus, substantial incentives exist for reaching a consensus (Wise et al. 1984).

Consensus and parity attempt to avoid what Thomas calls "power negotiations", in which councils, committees, and groups "utilize numbers to win a position: stack the committee, circulate petitions, send hundreds to a meeting, etc." This procedure provides an alternative to

> the traditional, autocratic styles of educational leadership [under which] principals and superintendents base many of their decisions and actions on the sovereignty of their positions; they enforce their power in handing down decisions which may or may not be beneficial to students.

According to Thomas, the "autocratic" approach makes decisions on a win/lose basis, "where in actuality nobody wins and everybody loses." According to the shared governance manual, in Salt Lake City's schools, the exercise of power "takes the form of knowledge, persuasion by ideas, options, and doing what others believe to be right."

We do not need to go so far afield to find a similar emphasis on consensus in education. In the field of collective negotiations, some school administrators - Halton County's Director Wally Beevor is a path-setting example - work pretty much for the same dynamic with what is called "single-team bargaining".

While within-board voting procedures do not speak directly to this study's issues of representation, apportionment, and electoral reform, they do reflect a form of representation of groups that give each a veto on the other. Purportedly, such a system can ensure that minority rights are no more vulnerable than those of the majority. In the case of Ontario, where certain religious and language rights are protected by the Constitution Act, 1982, and the Canadian Charter of Rights and Freedoms, in some situations, parity voting or single-team bargaining might be a way of accomplishing this end. These procedures might be adopted without the need to be overly concerned about issues of apportionment and numbers of representatives that a group might have on a given board or committee. Whether such a voting procedure would be advisable in some or all cases is, no doubt, a matter for further experiment. Nevertheless, the method does appear to be another option worthy of consideration.

NOTES

1. At the same time, we appreciate that expert pedagogical judgement on educational means may lead to more responsible, conscientiously considered, and informed decisions than ones based strictly on popular consent. The challenge is in intertwining ends and means.

2. Taking a cue from J. S. Mill, such modern writers as Pateman (1970) and Wood (1984) claim that, even in today's larger settings, Participatory Democracy would foster within individuals the very sort of active non-servile character needed for self-governance. Tullock (1977), for one, claims that it is possible that direct voting on all major issues may someday be established, if not to bind governments, at least to reveal public demands.

3. Because, however, party politics are not a widespread or overtly commonplace in local elections for Ontario's schools or city councils, this overview will not focus on several electoral systems which hinge upon the activities of political parties. For instance, we ignore such European mechanisms as the list system (where electors vote for a list of candidates put up by a party) and the double-ballot scheme (where political parties bargain for the support of an electorate that is "orphaned" after its first-ballot candidates fail to win enough votes to qualify for a later round of voting).

4. In Europe (as Brodrick 1855, Eulau 1978, and Schwartz 1967 separately trace), the king claimed to represent in his person the realm as a whole (impersonation of the public). Antecedents for a more democratic form of government include a constitution for the Dominican order of friars in 1221; secular states copied its provisions for a deliberative assembly. Later, to tip the scales toward Parliament in a struggle for authority between the king, on one hand, and the nobility and warrior elite, on the other hand, the popular and strong Earl Simon de Montfort called to Parliament representatives of small independent farmers and certain cities. Medieval parliaments went on to foster an awareness of rights that were earned and given (Bisson 1982), but the idea of representing all citizens did not decidely begin to take hold until late in the Middle Ages, through writings of such theorists as Marsilius of Padua and William of Ockham. Those reformers saw the people as sovereign, as having entered into a contract with a ruler who represents them. One of the other forces that aided in "leveling" monarchs and in animating the idea of a popular mandate was the Christian conception that since everybody was equal before God, the bulk of the population has the right to be heard and represented in law making. In time, not even aristocracies of talent were seen as having an immutable right to power and privilege.

5. Conventional wisdom has it, however, that candidates for Canada's 900 school boards sometimes attract like-minded constituents by running on platforms such as "Back to the Basics", "Quality Education", and "Effectiveness for Your Tax Dollar".

6. Another operational scheme, Responsibility Democracy, has electors removing the representative who disappoints them. This mode will not be treated in this chapter because it can be employed for relatively few questions and (more pointedly) because protest referenda, indirect initiative, and recall techniques are not presently in force in Ontario education. Although ministries can dismiss boards that reflect majority opinions, dissatisfied voters in Canada usually have to vote out offending trustees.

7. A number of fairly modern thinkers adhere to the belief that popular elections generally yield representatives with the capacity for only impulsively serving manifest and transitory public opinion, not for advancing the ultimate and enduring needs of the people. Thus Disraeli argued for the true representative position of a hereditary House of Lords and of a House of Commons peopled only by landed gentry. Another side to this position is that no official is ever so superior in wisdom and self-control that he or she does not constantly need both the enlightenment and the restraint that come from having to persuade and retain the confidence of those whom the official seeks to lead (Coker and Rodee 1950).

8. In his essay of 130 years ago, Brodrick set forth the historical position for taxability being a test of respectability: "The acquisition of property is, generally speaking, the effect of intelligence; the inheritance of property secures the means and leisure for education. A certain degree of wealth is supposed to make men responsible shareholders in the great concern of government, as it certainly involves a larger proportion of taxes, and to raise them above temptation of bribery, whereas, unless united with high principle, it does but raise the price of their votes." Critical of this aristocratic rationale, Brodrick contrasts the propertied view with that of classic Athens, where birth or wealth (among free men) gave no special share of power - but it did render its possessor an object of suspicion.

9. Besides the interest groups that lobby in most jurisdictions, a rather indirect form of functional representation occurs in Chicago, Illinois where a Citizens School Committee has members drawn from selected interest groups of the city. That Committee's major task is periodically to develop a list of "acceptable" (i.e., non-patronage) candidates for Chicago's Board of Education. Chicago's mayor, who has the power to name board members, is expected to choose appointees from that list and when a mayor does otherwise, the event rates newspaper headlines.

10. Other nations espouse the same principle, e.g., Australians speak of "one man, one value".

11. On the surface, formulations for equal districting appear relatively complex. Projections of populations have to be made, natural boundaries have to be delineated, overall populations have to be divided by the number of high schools in an area, and boundaries have to be drawn so that (1) district lines encompass clusters of a local majority; and (2) account is taken of demographic characteristics, i.e., income, school years completed, percentage of adults of voting age, percentage of minority groups (Wells 1982). All the while, contiguous districts of near-equal size and populations have to be established, "near-equal" lately being interpreted

as a deviation (for the most underrepresented and the most overrepresented districts) that is no more than 10 per cent from the average district size (Tucker 1985). The range of responsiveness, constancy of the swing ratio, and presence or absence of neutrality also require attention (Niemi 1978).

12. Partisans of the ward system repudiate this argument on two grounds: (1) a ward's representatives, no matter how parochial their agendas, still have to convince the board's majority, and (2) students tend to cross over to attend schools in wards other than the one in which they live; this mobility prompts the trustee to adopt a system-wide view.

13. Because this argument is a major one against PR, it is worth mentioning some of the ifs that could be involved for school boards. If political parties ever were to compete intensively for control of school boards, the PR/STV system might indeed lead to a factionalism where several small mutually independent parties tried to seat their members. This might occur especially if voters did not favour members associated with particular interests within major parties. If no group amasses majority support, these small parties could have their trustee members vote as a bloc to gain power disproportionate to their numbers. As a result, that party with the most elected representatives might be deprived of its mandate to govern. So, by dispersing voters among numerous small parties, PR might prevent citizens from expressing a clear choice for one ruling party. (On such party government, see Duverger (1984) and, for an alternative understanding, Powell (1982)). We should emphasize that all this seems more of a theoretical possibility than a Canadian fact: in the few "particized" elections for school boards, only two slates of candidates competed, not several.

14. Of course, staggered terms could help to narrow down such a vast field of candidates. With longer terms and fewer seats up for election, possibly each candidate would gain more visibility than when all seats were simultaneously contested. At the same time, because only half a board's seats would be up for election each time, some continuity of membership could be assured.

15. On the presumption that "he or she who pays the piper should call the tune," such a change would be controversial to ratepayers (such as farmers) whose assessments are considerable - at least until they receive 60 per cent rebates from the government.

16. As an earlier section implies, in an urban election of 10 000 citizens, when 5001 voters support one candidate, 4999 voters do not have a representative of their choice.

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3. THE ONTARIO SCHOOL TRUSTEE: SNAPSHOTS OVER TIME

- Rouleen Stewart

This chapter traces the evolution of the local educational authority in Ontario in some detail. It will interest readers who want a fairly specific sense of what has been happening legislatively and - to a lesser degree - administratively and pedagogically since 1800. Questions emerge, such as: How have the units of local administration developed? Who have trustees represented? How have they been selected? What responsibilities have been assigned to them? And what significant contrasts are evident among various kinds of administrative units?[1] Through this historical account, implications for trustee representation may be seen. Such a perspective is consonant with the observation of the Hope Commission that "one may look back to the last 30 years of the nineteenth century and find many...archetypes of the educational machinery of today" (Hope 1950, p. 17). Although this statement was made some 35 years ago, it still rings true.

To present a meaningful chronological account of trustee selection, legislation will be placed within the educational context of the time. While the first school in Ontario was a French-language one in 1678, the true beginning of the province's current system of educational governance dates from the early 19th century. So, for purposes of presentation, a five-part time frame will be used: 1800-1840, 1841-1870, 1871-1900, 1901-1950, and 1951-1985. For each period, the context will be presented, significant legislative action outlined, and elements summarized that relate to the position of local trustee. A concluding section will integrate the five arbitrary periods.

1800-1840: THE CONTEXT

The 50 years between the creation of Upper Canada (1791) and the union of Upper and Lower Canada (1841) were marked by growth in population and material wealth of the province; but, more importantly, the period reflected the struggle to establish "responsible government, religious equality and the free school...free education was made possible only through the overthrow of autocracy in church and state" (Coleman 1907, p. 7).

Provincial Governance

During the early years of the Crown Colony of Canada, Upper Canada was administered by an aristocratic elite. The Lieutenant-Governor was appointed by the British Government, and both his Executive Council and the Legislative Council were appointed by the Lieutenant-Governor. Although a House of Assembly was elected "on a restricted franchise" (Sisson 1959, p. 5) every few years, appointed officials virtually managed provincial affairs. Through debates, inquiries, and reports, the Assembly presented the real needs of the province to the people at large, serving as an indirect check on appointed officials' power.

A "very limited form of local administration (was) vested in the old Courts of Quarter Sessions and in town meetings" (Ross 1949, p. 2). The control of this local administration gradually developed in importance to become "an integral and important part of the provincial governmental machinery" (Ross 1949, p. 2). By 1841, district councils were elected and the municipal acts of the 1840s increased local responsibility. The first public school act in 1816 is a significant event in the emergence of local self-governance in Canada (Ross 1949; Tindal & Tindal 1979). The brief existence of the General School Board, which "was in strong disfavour with most of the people and with their representatives in the assembly" (Phillips 1957, p. 43), illustrates the diminishing influence of the elite and the mounting power of the general population.

The Church

During this same period, the church retained significant influence on affairs generally and on education in particular. Revenues from the clergy's reserves, equal to one-seventh of all Crown Lands, provided support for the Churches of England and Scotland (Sisson 1959); consequently their availability for social action was enhanced. Teachers and trustees of grammar schools were frequently members of the clergy, not surprising when one recalls that clergy were among the educated elite of the period and therefore "well qualified" to hold such positions.

Bishop Strachan, a dominating figure in educational affairs at the time, supported Church involvement in serving the region's education. The introduction of the Mavor Speller, with its Anglican character, into the common schools of the province stands as a significant action of the General School Board he presided over for its ten years' existence. Because this Board was not responsible to the Legislative Assembly and was seen by many as church-biased (Coleman 1907), the body was dissolved in 1833, its power nominally transferred to the Council of King's College.

In 1829, a Select Committee on Education, reporting to the Assembly that the district grammar schools were far from efficient, cited the appointment of trustees on the basis of religion as a major problem (Phillips 1977). The next year, a petition from the United Presbytery of Upper Canada[2] complained that trustees were almost all of a single denomination.[3] In the discussion with a Committee of the Legislature which followed, the facts were obscured. In any event, "whether the grammar schools of the time were sectarian institutions or not, they were at least regarded as such by a large portion of the inhabitants of the Province" (Coleman 1907, p. 83).

Provincial Organization

The Parliament of Upper Canada in 1798 established eight districts in the southern areas of the province. As the province's population thereafter grew from approximately 70 000 to 456 000 by 1840, additional districts were established. Only as settlement advanced was the province subdivided into counties and once more subdivided into townships.[4]

Education

Steps toward an organized system of education for the province were taken during the first half of the 19th century, originally with the establishment of district public schools in 1807. These schools, which became known as grammar schools in 1838, "were exclusive to begin with and to a degree remained such" (Sisson 1959, p. 6). One such school per district was founded, and although some provincial funding was provided, substantial fees were imposed. The school term ran 10 or more months during the year, with students from age 5 through 17 in attendance (Hope 1950). The schools were essentially residential institutions and "generally speaking, their complexion was Anglican" (Sisson 1959, p. 6). On the other hand, common (elementary) schools were encouraged from 1816. For each school section, one common school was founded, typically a one-room unit, "generally ill-appointed and frequently inefficient" (Sisson 1959, p. 7). Although some provincial funding was available, parental rate bills and other locally collected funds financed their operation. Describing the situation of 1830, Hope (1950) characterizes the typical common school as functioning for 6 months during the winter, with some 12-25 students aged 6-10 attending voluntarily, usually for no more than 4 winter terms.

By 1830 approximately 200 000 residents lived in Upper Canada. About 10 000 students were enrolled in 400 elementary schools, while only 280 went to 11 grammar schools. Phillips (1957) surmises that "hardly more than one-half of the children in the 1830s attended school for periods averaging twelve months in length" (p. 134). Nevertheless, this represents a marked increase from the turn of the century when schooling had been available only for an elite few.

1800-1840: LEGISLATIVE DEVELOPMENTS

Assistance for schooling out of the public purse evolved gradually. In the early years, some government funds aided schools in the Eastern and Midland districts (Coleman 1907). Although legislation was enacted in 1797 for the appropriation of 500 000 acres to provide a fund for the establishment of four grammar schools and a university in the province, actual support for grammar schools from land grants did not materialize for some 40 years (Coleman 1907). Following the Act of 1797, several unsuccessful appeals for the support of education were made to the legislature, but not until 1807 was action taken.

1807 - The District Public School Act

In 1807, the legislature of Upper Canada enacted the District Public School Act,[5] allocating an annual grant of £100 (100 pounds) for the salary of the grammar school master in each of the eight districts. Five or more trustees[6] for each school were appointed by the Lieutenant-Governor to examine and appoint teachers[7] (subject to the approval of the Lieutenant-Governor), to set tuition fees, to manage the operation of the schools, and to report annually to the Lieutenant-Governor.

Although not explicitly stated in the legislation, presumably trustees were also responsible for the provision of facilities (Coleman 1907). At this time, schools were in existence in at least three districts, and no additional support for facilities was required to satisfy the legislated requirements. Where buildings were needed, local contributions were obtained. In the London District, for example, a popular subscription was taken to build the necessary schoolhouse.

Yet the legislation of 1807 did not meet all residents' needs. Petitions to the legislature[8] pointed out major shortcomings: access to schools was difficult for those outside the school town, and tuition fees in addition to local levies prevented many of average means from taking advantage of the schools. In reaction, nine years later the provincial legislature took steps to make basic education available to more children in the province.

1816 - The Common School Act

The Common School Act[9] was not designed to establish new schools; rather, it aided local groups which had themselves already established schools. The Act defined the attendance area of each school as the basic administrative unit. A board of three trustees,[10] elected by inhabitants of the area,[11] administered the school. A district board of education,[12] with not more than five members, was appointed by the Lieutenant-Governor to oversee schools in the district and to apportion legislative grants to teachers.

A total of £6000 was granted annually to the province's 10 districts. Public funds were distributed by the district treasurer, the amount received by any one district varying from £200 to £1000. Once a school was established and 20 students were enrolled, trustees were selected and thereafter a teacher appointed.[13] Allowances to individual schools, which extended up to £25, were made available to the teacher every six months upon presentation of a certificate from the trustees attesting to suitable service for no less than 20 students.

The Common School Act authorized elected trustees to set fees that parents had to pay to supplement government grants. These trustees, also responsible to a district board, were required to report every three months concerning textbooks and rules, and annually concerning enrolments, curricula, and general conditions of the school. These reports could be laid before the legislature. Although the local board was legally responsible to ensure the teacher's salary, approval of the district board of education was required for the dismissal of a teacher. In addition, the district board had access to a provincial grant of up to £100 for textbooks.

In so spelling out the right of local organizations to administer publicly funded schools within higher-level guidelines, this Act is considered to have set the stage for the governance of Ontario schools (Ministry of Education, 1981(b), p. 2).

Yet by 1820,[14] although substantial grants were available for common schools, in some districts these grants remained unused. In that year, the annual provincial grant was reduced to £2500.[15] Four years later the Common School Act was revised once more[16] to include provision for schools among Indians[17] and financial assistance for Sunday Schools.[18] Teacher certification became more centralized, as an examination by a district board of education or by one board member was required before a teacher qualified for the provincial monies (Phillips 1977).

1819 - The Grammar School Amendment Act

The Grammar School Amendment Act of 1819[19] illustrates four organizational characteristics developing in this era: local supervision of instruction, strong central control, accessible education for all, and responsible fiscal action (Coleman 1907). Some degree of local supervision was acknowledged insofar as the legislation directed trustees themselves to participate in an annual public examination of their schools. Central control was enlarged through the requirement that annual district reports to the Lieutenant-Governor were to be presented to the legislature. Each district grammar school was directed to provide education without charge for 10 children selected by lot from a pool of students nominated by the common school trustees in the district.[20] Finally, in the event that average grammar school attendance stood at 10 or less, the government grant of £100 was reduced to £50 annually.

1823

A General Board of Education was appointed in 1823 by the Executive Council to supervise both grammar and common schools. The supremacy of the Church of England in education appeared to be reinforced by the existence of the Board and the Board itself held no means of enforcing its recommendations in the schools. As indicated above, in the face of continued opposition, this Board of Bishop Strachan's was dissolved in 1833.

1824-1840

During this period, various bills for common schools were proposed but none were enacted.[21] Philosophical disagreements continued between the supporters of common schooling and the proponents of the more exclusive grammar schooling. According to Phillips (1957), in 1840 the provincial funds to schools were allocated as follows: $18 per pupil to grammar schools, $2 per pupil to common schools. Strong opposition to spending public money on educating relatively few children in grammar schools was evident, but with increased provincial funding for common schools, the conflict subsided during the next two decades. In 1849, a land grant of 500 000 acres was established to aid common schools (Coleman 1907). With Ryerson's leadership, a firm foundation for the present educational system developed.

The Act of 1839[22] reaffirmed the notion of grammar schools as contemplated in 1797, and 250 000 acres were set aside specifically for them. By 1841, the issue of provincial debentures on behalf of grammar schools was substantial. Funds from the land grant were to be distributed as before (i.e., £100 to trustees of each district), but in addition, at the discretion of the Council of King's College which managed the fund, further funds could be assigned. District trustees, moreover, could obtain £200 from the General School Fund for a building fund as long as an equal sum was provided by local residents.[23] The Lieutenant-Governor could provide up to £100 to a board for the support of additional schools if a district needed such schools.

1800-1840: SUMMARY

Starting with virtually no publicly supported education at the turn of the century, some 13 public grammar schools and over 650 elementary schools emerged over this period. "Common schools had sprung up in settled areas, built and supported mainly by local effort and money, with a minimum of government aid and direction.... The grammar schools, while nominally free from Church control, were under Anglican or Presbyterian influence, with a clergyman or minister usually headmaster" (Sisson 1959, p. 13).

Over these years, individual schools functioned as autonomous units and each school was managed by its own board of trustees. Five or more "fit and discreet persons in each and every District" were appointed by the Lieutenant-Governor "from time to time" to serve as trustees for the grammar schools. Trustees were giwen "full power and authority to make such rules and regulations for the good government and management of their school". An annual grant of £100 was provided by the province for the school master's salary. Tuition fees were charged. By 1839, additional funds were available at the discretion of the Council of King's College, and a grant for a building fund could be obtained if financial support from the local community was forthcoming. The board reported annually to the Lieutenant-Governor, and after 1819, such reports were presented to the legislature.

Three "fit and discreet" persons were elected annually to serve as trustees for each common school. No additional qualifications were specified in the general legislation, but according to a report from the era, the boards included "sixty of the best informed gentlemen in all of the Province" (Hodgins 1908, Vol. II, p. 198).[24] Qualifications for teachers were a concern; a letter from Reverend Friend written in 1839 comments on the common school trustee: "the incompetency of the present Trustees generally to superintend Education is too notorious to require comment. We find aliens very frequently in this office. Their popular election is essentially bad" (Hodgins 1908, Vol. III, p. 277). Payment for these teachers could be chancy: aside from a provincial grant of £25 for teacher salary, trustees raised funds from the community, generally through subscriptions and a parental rate bill. From 1833 to 1840, trustees were required to amass local monies to at least equal the legislative grant (Hope 1950). By 1820, the district board was also responsible for teacher certification.

The policy of electing common school trustees and appointing grammar (secondary) school trustees which was established in the early years of the 19th century was generally to continue in the province until 1969. Furthermore, remnants of two other trends established during these early years - more autonomy for grammar schools and substantially larger provincial grants per pupil - were to remain to this day.

1841-1870: THE CONTEXT

Provincial Governance

"In the 1840s, democratic control over politics was established locally by the Municipal Acts and provincially through the attainment of responsible government" (Hope 1950, p. 13). There was, however, a freehold qualification for voters and voting did not proceed by ballot (Phillips 1977). Local district councils were elected from 1841, although the warden and the treasury clerk remained appointed positions until 1846. In 1849, the Baldwin Act abolished the division of Upper Canada into districts (Ross 1949), while counties and townships were defined as units of local governments with elected officials (Phillips 1957). Besides establishing provisions for property taxation by municipalities and counties, the Baldwin Act allowed for tax-supported free public education as the efficacy of elected school trustees depended on the election of municipal councils for general purposes (Fleming 1971).[25]

When Confederation occurred in 1867, responsibility for education was assigned to the provincial governments by the British North America Act. The evolution of education in Ontario, therefore, continued in an essentially uninterrupted manner.

Provincial Details

The period between 1840 and 1870, one of expansion, saw the population of Upper Canada grow from 456 000 to over 1 620 000; the number of urban centres increased dramatically from only 5 centres with populations over 1000 in 1831 to 38 centres with populations over 2000, including 12 with populations over 5000, by 1871 (Hope 1950). Transportation and communications developed throughout this period, and both educational facilities and practices improved.

Education

Phillips (1957) estimates that 65 000 students attended publicly controlled day schools in 1841. By 1845, enrolment in common schools had reached 96 000 (Hope 1950). According to Harris (1967), in 1867, 102 secondary/grammar schools in the province served some 5696 students, 4422 common schools accommodated 382 719 students, and 161 separate schools served 18 924 students.[26]

Centralized authority emerged early in the 1840s with the formation of a General Board of Education for the province, composed of the Superintendent and six advisors, including both a Roman Catholic and an Anglican clergyman. Superintendents were also appointed locally to promote better education throughout the province.

During this time, the school year for common schools increased to 11 months, students generally attending for four to six years (Phillips 1977). The quality of school facilities improved: books and maps were becoming more readily available. Furthermore, the quality of instruction was advancing. Ungraded common schools were found in rural areas, but graded schools were coming into existence in cities and towns.

Educational developments were strongly affected by one man, Egerton Ryerson, Superintendent of Education from 1844 to 1875. Ryerson, often identified as the creator of the Ontario education system, had a vision of free schools, supported by local taxation, which has guided the educational system of the province to this day. Although fundamental components of the system were visible in 1844, "it was Ryerson who organized, related, and defined the basic elements and who provided the philosophic ideas which gave the developing system cohesion, inner consistency, and purposefulness" (Harris 1967, p. 41). A strong central authority was established to prepare regulations, establish curriculum, and determine teacher qualifications. Local responsibilities were also clearly defined to include hiring teachers and maintaining facilities.

For the first 20 years of his Superintendency, Ryerson focused on the development of common schools. From 1866, he directed his attention towards the development of secondary education (Harris 1967). In spite of a series of acts dealing with grammar schools, by 1866 their existence was still somewhat insecure. Although municipalities could tax property for the support of these secondary schools, the legislation was permissive rather than prescriptive. On occasion, elementary students were enrolled in grammar schools to increase the financial resources. The Grammar School Act of 1871, however, established a clear division between elementary and secondary schools, helping to strengthen the position of grammar (secondary) schools in the province.

Throughout his career, Ryerson encouraged the formation of township units for common-school administration. Although he drafted several bills to consolidate school sections, the legislation which was enacted in 1871 reflected a compromise position.

The provision for Roman Catholics[27] to establish separate schools was included in the legislation of 1841, this right becoming more firmly entrenched with the legislation of 1850 and 1863. Provision for separate schools for Black children also was included by Ryerson "with extreme pain and regret" in the legislation of 1850. According to Phillips (1977), separate schools for Blacks all but disappeared before the turn of the century.[28] Issues stemming from Roman Catholic separate schools, however, remain evident in Ontario to the present day.

1841-1870: LEGISLATIVE DEVELOPMENTS

1841 - The General School Act

The General School Act of 1841[29] was passed by the parliament of the United Provinces. The legislation included the following provisions:

- a permanent school fund;
- an annual grant of £50 000 pounds for common schools;
- the appointment of a Superintendent of Education for the Province, who was to visit districts, assess common schools, and work towards uniformity in education;
- the regulation of school organization, teacher examination, and allocation of school funds; and
- the possibility for separate schools for those whose religious persuasion was in the minority.

Furthermore, the Act abolished the position of local school trustee, providing instead for the election of township school commissioners[30] responsible for all elementary schools in the township. The Act also provided that high school trustees be appointed by the Lieutenant-Governor because secondary education was perceived to be of less general interest at that time than elementary education. At the same time, the powers of the district boards (appointed) were transferred to the newly established elected district councils[31] who were authorized under the Municipal Act (1841)[32] "to make by-laws for providing the establishment of and a reasonable allowance for support of common schools".

1843 - The Common School Act

Local participation and control were emphasized in the Common School Act of 1843,[33] as township boards of commissioners were abolished. The attendance area of each school, designated as a "school district", was re-established as the basic unit of administration. A board of three trustees for each school was elected annually at a meeting of resident freeholders and householders. The board employed the teacher, collected the rate bill, and set requirements for curriculum (Phillips 1977). Two intermediate units, municipal councils and district councils, were created; councils were required to mobilize support through the property tax in an amount at least equal to the grant, but no more than twice the grant. Other funds were mustered by the trustees through the parental rate bill. Locally appointed county and township superintendents were introduced to supervise the schools. Requirements for the formation of separate school districts were clarified.

1846 - The Common School Act

The Common School Act[34] redesignated the attendance area of a single school as a "school section". School trustees for each section "were to be elected for three-year terms rather than for one-year terms as had previously been the case" (Hope 1950, p. 207); a penalty[35] was to be imposed, moreover, on any person refusing to serve as trustee. The terms of office were overlapping, with one trustee retiring each year (Phillips 1977). Each corporation of trustees was to appoint a secretary-treasurer from among its members to keep minutes and accounts. The municipal official was no longer responsible for apportioning and accounting for provincial funds for schools (Hope 1950).

District councils, responsible for the boundaries for the school sections, served as an intermediate local authority responsible for the collection of school taxes and the appointment of a district superintendent. The General School Board for the Province[36] was established by this legislation. The apportionment of the provincial grant fell to the Superintendent of Education.

The intermediate authority for purposes of taxation, however, has not always proved successful. For example, Phillips (1977) discusses the crisis in Toronto when, in 1848, the City Council refused to collect funds required by the School Board. As a result, schools were closed for six months. When the issue was fully resolved, a public vote in 1852 established a system of free public schooling for the city.

1847 - The Common School Act

For the first time, an urban-rural distinction was made for schools. By this Act,[37] all common schools in each city or town were placed under a single board, thereby eliminating boards of trustees for each school.

At this time, the appointment of standing committees of the board emerged in a number of boards. The Act provided that a committee of three members of a board be assigned the care of each school. In a Circular to the Mayors of Cities and Towns, Ryerson recommended that each board form a "Committee of School Houses" and a "Committee on Teachers, Books, and Schools".

1850 - The Common School Act

"The Act of 1850 [is] commonly regarded as the keystone of Ontario's educational system" (Hope 1950, p. 185). The legislation[38] provided for the Council of Public Instruction, and set up intermediate authorities, county boards of public instruction formed by local superintendent(s) and grammar school trustees, to examine and certificate teachers, and to work towards improved education. As a consequence of the aforementioned Municipal Act (1849), also known as the Baldwin Act, the school legislation of 1850 established the county council as the taxation authority.

The organization of boards was formalized and trustees of the school section were required to establish a corporation to manage their schools. Details of trustee selection were specified, the legislation precisely determining duties of trustees, teachers, and township councils.

In addition to establishing the election of urban trustees (Phillips 1977), law makers included permissive clauses to consolidate school sections into township board areas through affirmative votes of a majority in each school section. But, since opposition in only one section could prevent consolidation, by 1871 only one such township board[39] had been formed (Hope 1950).

Individual localities were given the option of retaining the parental rate bill or of transferring the burden to the community through taxation for the full amount of locally required funds. The commitment which Ryerson felt towards free schools and his continued efforts in this direction led the province to the point where only 10 per cent of the schools retained rate bills in 1870. (Total free elementary schooling was to be legislated in 1871.)

1853 - The Grammar School Act

Enlarging the powers of municipal councils and local trustees, the Act of 1853[40] provided for the possibility of consolidating elementary and grammar school education (Coleman 1907). Counties were established as the basic unit of secondary education. A grant of £100 was offered for senior grammar schools in counties; any remaining income from the grammar school fund was to be shared in proportion to county populations. All grammar schools in one county were managed by a single board of no less than six and no more than eight "fit and proper persons" who were appointed by county council rather than by the Lieutenant-Governor (Hope 1950). Terms of office were overlapping with two trustees retiring each year. Municipal councils were able to raise money by taxation for building and maintenance of schools (Coleman 1907), while trustees were empowered to apply to council for funds and to set additional fees. Under the legislation, the union of common and grammar schools within townships, villages, towns or cities was permitted, and in such cases management was handled by a joint board of trustees - eight for grammar schools and six for common schools - that oversaw the union schools (Hope 1950).

1855-The Taché Act

Through the Taché Act,[41] separate school trustees were to be elected by the majority of those present at a meeting of no less than 10 separate school supporters. To qualify as a trustee, an individual was to be a British subject "whether freeholder, householder, or not"; this clause permitted the participation of members of religious orders. Once trustees were selected, a school had to be established within two months, or the election was nullified.

Under this legislation, separate schools were to share the legislative grant, but not the municipal assessment. Separate school supporters, however, were relieved from common school rates if they were subscribing to the separate school in amounts at least equal to what they would otherwise pay in taxes.

1859

The Consolidated Common School Act of Upper Canada[42] mandated the assessment of property of a "company" for support of common schools. This legislation introduced the restriction, moreover, that no trustee could be a superintendent or teacher in the section for which he served as trustee, a proviso that has endured.

1863 - The Scott Act

Clarifying and strengthening the position of Roman Catholic separate schools, this legislation[43] relieved individuals from the requirement of annual notice of support for separate schools. But such support could be withdrawn by written notice. The unique requirement of residence within a three-mile radius of the schoolhouse for separate school support was introduced in this act. Trustees of separate schools, given the same duties, were to be assessed the same penalties as common school trustees.

1865 - The Grammar School Act

Adjustments continued to be made in provincial legislation.[44] For cities generally, six trustees were to be appointed for grammar schools by council, unless the city grammar school was the only one for the county. In such cases and for towns and villages, three trustees were appointed by the urban council and three by the county council. Local authorities were to raise an amount equal to at least half of the provincial grant (and in 1871 taxation was specified as the means of collection). Provision was made for the dissolution of union boards and restrictions were placed on the creation of new grammar schools (Phillips 1977).

1866-1870

Ryerson believed school sections should be joined into larger administrative units along township lines. Although he drafted several bills in which township boards were to supersede school section boards, when legislation was enacted in 1871, township councils were permitted to form township units only when ratepayers in two-thirds of the sections were in support of the action. As it happened, however, 100 years were to pass before Ryerson's concept of larger administrative units was to be realized - through the consolidation of township school areas and the subsequent formation of county boards.

1841-1870: THE SUMMARY

The period 1841-1870 is characterized by movement towards equality of opportunity for education in the province. Individual schools were drawn towards uniformity through the emergence of a central education authority and a system of locally appointed superintendents. Common schools were usually ungraded in rural areas but graded in the urban centres. Blackboards, maps, and desks were to be found in the typical frame schoolhouse. On average, a grammar school held 50 students who attended for two years. The school was frequently a reasonably well-equipped brick building, and the teachers generally held a teaching certificate. Schools were supported by both provincial grants and local tax levies. In 1870, 90 per cent of the common schools had abolished the parental rate bill; grammar schools, however, often had fees of about $18 per year (Hope 1950).

Trustees for these two types of schools were selected in different ways. In the year of Confederation, local authorities for elementary education were elected, while those for secondary education were appointed.

Common School Trustees

The Western District Council, for one, expressed concern in 1846 over the quality of trustees and observed "as we well know ... a large number of them [trustees] can neither read nor write" (Hodgins 1908, Vol. III, p. 123). Speaking of the common school trustees across Canada during the early stage, Phillips (1957) observed that the development of local boards was problematic: "the incompetence of trustees made it risky to entrust them with responsibility; limitation of opportunity for trustees to take responsibility kept them from becoming competent" (p. 266).

In urban centres of Ontario, trustees were responsible for all common schools in the municipality,[45] while in rural areas trustees were elected by school section[46] to be generally responsible for the single school.[47] Trustees were elected at the annual meeting of freeholders and householders of the area. Minimal qualifications were specified, but a fine was imposed on anyone who refused to serve.

Boards were to collect the municipal levy through the municipal council and, at the time of Confederation, trustees could borrow money through the council.

All common school sections in urban centres were consolidated in 1847. Thereafter, two "fit and proper persons" were elected by the majority of all the taxable inhabitants in each city or town ward to serve overlapping two-year terms. Resident freeholders and householders in incorporated villages and in rural areas selected trustees for somewhat longer terms.

Separate School Trustees

Under the Scott Act of 1863, Roman Catholic separate school trustees were elected at a meeting of freeholders and householders who were Roman Catholics. To qualify for the position, an individual had to be a British subject, no less than 21, freeholder or householder or not, and resident in the section or the adjoining section. The Act does not appear to specify that the trustee himself be a Roman Catholic. The usual term of office parallelled that of the common school trustee. The possibility of union separate school sections was also established. At this time as well, separate schools for Protestants and separate schools for coloureds (Blacks) were also in existence. Only coloureds could vote for their trustees and only those petitioning for support or sending their children to Protestant schools were permitted to vote for the trustees of Protestant separate schools.

Other Considerations

An appointed board[48] was responsible for secondary education. Attention was given to rural/urban differences: in 1865, where a city secondary school was the only one for the county, the county council was given the responsibility for selecting three of the board members, while the city council chose the city trustees. The same rural/urban split was established for villages and towns.

At this same time, co-operation between types of schools was encouraged through a union of grammar schools and common schools in an area. Union boards were generally established to maintain the financial viability of the grammar schools. Union boards were composed of members of the corporations of the individual units - eight grammar school trustees and six common school trustees.

Although the principle of shared responsibility for education was enshrined in the earlier legislation, it was only in 1841 that a local rate became part of the general school law. The local rate "survived the successive revisions of the school act during the 1840s unscathed" (Gidney 1980, p. 111). Thus the burden of school costs was transferred from parents alone to all ratepayers.

1871-1900: THE CONTEXT

Provincial Details

"These were years of broadening outlook. Ontario was now a member of a growing federation.... The new contacts extended beyond the Canadian border ... the prejudice against reading as a pastime almost entirely disappeared" (Hope 1950, p. 5). At the outset of this period (1871), the population of the province was approximately 1 621 000. By 1874, 7871 students registered in 108 secondary schools and 464 047 students attended 4758 elementary schools. By 1890, the population in Ontario had risen to approximately 2 114 000, with almost 500 000 students enrolled in 5700 public schools, 19 400 students in secondary schools, and 35 000 students in 260 separate schools (Hope 1950).

Education

The general broadening perspective of "the period of consolidation" (Hope 1950, p. 15) was reflected in education. Curriculum was expanded for both elementary and secondary schools. Central authority to encourage uniform high quality throughout the province was strengthened with increasingly specific legislation and the institution of a Ministry of Education. In 1871, compulsory education was introduced and public schools were made free of additional fees. Grammar schools were defined as secondary schools and entrance examinations were established. In an attempt, moreover, to boost standards in secondary schools, examination results were used as a basis for distribution of provincial grants to secondary schools from 1871 through 1882.

The eight-grade program became the model for elementary schools and two distinct courses were offered in secondary schools. By 1890, however, a united secondary program leading to "matriculation" became the order.

The language of instruction appears to have been a non-issue until late in the 19th century. "Until the year 1885, the teaching of English in the public elementary schools in French settlements was apparently left to the judgement of the trustees and teachers. As a consequence, in some of these schools the English language was never used as a language of instruction and communication, or taught as a subject of instruction" (Hope 1950, p. 398). In 1885, knowledge of English was added as a requirement for a teaching certificate. By 1890, one finds "official recognition of the desire of the French and German inhabitants of Ontario to have their children study their mother tongue, together with specific provisions intended to meet that desire. But English was to be studied in all schools" (Hope 1950, pp. 401, 402). In 1896, the Public Schools Act was revised to require English as the language of instruction. No such revision was made to any of the Separate School Acts (Hope 1950).

Ryerson had attempted to revise the administration of the school system from 1865 to 1871. His proposals included distinct organizations for rural and urban communities: rural elementary schools were to be organized by townships, while secondary schools were to be organized by counties; urban schools were to be organized under one board for both elementary and secondary schools. In all cases, trustees were to be elected. Although the precise proposal did not reach the legislative phase, in 1871 some revisions were made (Harris 1967).

1871-1900: LEGISLATIVE DEVELOPMENTS

1871 - Common and Grammar Schools Act

In 1871, the Common and Grammar Schools Act[49] set a clear division between elementary and secondary schooling, and entrance examinations were established for secondary schools. In addition, municipalities were required to provide resources in support of secondary schools (either high schools or collegiates). Schools were to be free; rate bills and fees were abolished for elementary schools. Compulsory attendance was introduced for children ages 7 to 12.[50] Qualified county inspectors, selected from an approved list from the Council of Public Instruction, were to be employed full time.

1874

The Act of 1874[51] was an extensive education act elaborating duties and responsibilities for the various positions within the system. Included in the legislation was a clause phasing out the union boards which had been so severely criticized by high school inspectors[52] (Hope 1950). Union boards were not to be established, but existing boards of education were permitted to continue. Union boards were, however, to be reintroduced in 1896, and provision for such boards remained some 50 years later (Hope 1950). Under the 1874 legislation, boundaries for the district high schools were to be defined by the county councils. At the same time, the intermediate authority of municipal councils was more firmly established. Municipal councils collected taxes for school purposes, hired the local inspectors, and served as clearing houses for school board borrowing. Details concerning trustee selection established at this time appear below, in the summary for the 1871-1900 period. In sum, this legislation of 1874 essentially set the direction for school governance for most of the next 100 years.

1879

This legislative Act[53] made it necessary for high school and public school boards to apply to municipal councils to borrow for school purposes; separate school trustees retained independent borrowing privileges.

1886 - The Separate Schools Act

It was the Separate Schools Act of 1886 that just allowed for the appointment of separate school board representatives to the high school board in the city, town, or village (Sisson 1959). In addition, a provision was introduced that corporate assessment could be assigned for separate school purposes. The portion of assessment assignable was to be no greater than the proportion of stock or shares held by Roman Catholics.

1896 - The Public Schools Act

In response to requests for secondary education in rural communities, legislation[54] was adopted permitting elementary boards to establish continuation classes[55] in any municipality or school section which had no high school. Later legislation[56] extended continuation classes to separate schools; thus, continuation classes provided a mechanism for extended financial support for separate schools. The Public Schools Act also specified that English was to be the language of instruction.

This same year, the "council of any municipality composed of more than one township in territory without county organization was given the power to choose between establishing a single public school board for the whole municipality and dividing the municipality into school sections" (Hope 1950).

1899

Until this date, a separate school had to be established as the second school in an area, after the common school. This legislation[57] contained the right for Roman Catholics to establish separate schools in areas without municipal organization.

1871-1900: SUMMARY

During the period of consolidation, certain foundations of the educational machinery of today were firmly entrenched. Grammar schools were transformed into full-fledged secondary schools, education at the elementary level became free, and compulsory education was introduced. Attention was paid to the language of instruction and concern over competency in English was expressed.

The arrangement for secondary boards was essentially unchanged. Councils were to appoint six fit and proper persons to serve overlapping three-year terms. Under the legislation of 1896, separate school boards were permitted to appoint one trustee to the high school board who was not a separate school board member, to serve a term of one year; in the case of boards of education, such a representative was not to participate in discussion of elementary school issues. With the exception of boards of education, the public school board was also permitted to appoint an individual who was not a public school trustee to the secondary board for a term of one year.

As for elementary boards, penalty for non-service was not evident in the legislation of 1874. Restrictions on candidates for the position of trustee, however, were imposed. No trustee was to be a public school inspector or be a teacher in the section for which he was to be trustee, and no teacher or inspector was to serve as trustee. Trustees were elected from residents assessed as freeholders, householders, or tenants, at meetings of residents or non-residents assessed as freeholders, householders, or tenants. To have a legal vote, an elector was to have paid the due school rates of the last 12 months.

The three-year terms that Ontario now has were in place for common school trustees and communities without a ward structure. The two-year terms that Ontario discontinued in 1985 prevailed in towns and cities with a ward structure.

The legislation of 1896 established that trustees be British subjects, resident ratepayers or farmer's sons, of the full age of 21. In the event that no trustee was elected, council was permitted to appoint a board. Finally, voters were to be ratepayers or farmers' sons of full age of 21 and, in the case of public schools, a public school supporter.

1901-1950: THE CONTEXT

Provincial Details

Figures for 1904 include a provincial population of 2 216 000, with 27 709 secondary students in 138 schools, and 444 621 students in 6177 elementary schools (Coleman 1907). By 1950 the provincial population had reached 4 471 000. At this time there were 493 532 students enrolled in 5899 public elementary schools, 129 057 students in 433 secondary schools, and 122 687 students in 947 separate schools (Phillips 1977).

The first half of the 20th century was "marked by large-scale organization in private business and in governmental affairs. Ontario, as the chief industrial province of the country, has perhaps been most affected by the results of mechanization and industrial organization. The developments in industry have inevitably been reflected in changes in the field of education" (Hope 1950, p. 18).

Education

After the turn of the century, both elementary and secondary programs broadened and vocational education developed. Attendance rates at both levels increased with respect to enrolments. In 1921, the compulsory school age was raised to 16 years, fees for secondary schools were abolished, and, with time, small rural schools were consolidated into district high schools. Centralized supervision was strengthened in 1930 through the appointment of inspectors upon the Minister's recommendation. The system became more "professionalized", and, over the years, entrance examinations for high school and departmental examinations for junior and middle school were phased out (Phillips 1977). Additionally, financial support from the province increased "in an effort to secure equity in educational opportunity throughout the province" (Hope 1950, p. 19).

At the turn of the century, some 5655 schools were managed by some 5000 trustee boards (Hope 1950). The first half of the 20th century was marked by a move towards consolidation of elementary and secondary education in the cities and towns of the province. By 1950, 536 township school areas replaced some 3469 school sections, with the result that there were 3214 administrative units for the public schools in the province. A similar consolidation trend for high school districts resulted in 126 amalgamations by 1950 (Phillips 1977).

Yet, through a series of small changes, the structure of the system became most complicated. Education developed in such a way that no single system could be called typical. Hope (1950) observed "the bewilderingly complex nature of the administrative organization which was developed through the many relatively minor changes in Acts and regulations. The urgent need for comprehensive reorganization is obvious" (p. 235).

"The beginning of the second decade of the twentieth century was a period of high tension between the English- and the French-speaking populations of Ontario" (Fleming 1972, p. 262). Regulations concerning English instruction established in 1913 were perceived by Francophones "as a direct attack upon their language and an attempt to force them to learn English" (Hope 1950, p. 408). Litigation did not resolve the concern and an inquiry[58] into the issue ensued. Major remedies suggested were: "proper and adequate inspection of English-French schools; closer personal supervision; and better trained teachers" (Hope 1950, p. 412). "The Committee was convinced that French-speaking children should have French as a subject of instruction wherever its provision was compatible with the satisfactory instruction of other pupils attending the school" (Hope 1950, p. 413). Policy was adjusted to be more tolerant of French as a language of instruction, but the issue was far from resolved.

The Royal Commission on Education in Ontario, under the chairmanship of Mr. Justice Hope, was established in 1945. After five years of study, its comprehensive report - which included recommendations on virtually all aspects of education - was published, clarifying many of the complex issues which faced the province at the time.

1901-1950: LEGISLATIVE DEVELOPMENTS

1903

A Board of Education Act[59] authorized consolidation of public elementary and secondary schools under a single board for cities over 100 000.[60] The board was composed of 12 members elected by the ratepayers and two members appointed by the separate school board. The following year the option was extended to cities, towns, and villages, and over the next 40 years most areas moved towards consolidation.[61] Although numbers varied with population, the principle of members elected by the public school supporters and members appointed by the separate school board was retained.

1909-1913

In the later part of the 19th century, continuation classes had been added to certain public and separate elementary schools, because high schools proper were only within reach of students in larger communities. In recognition of such a need, the Continuation Schools Act[62] provided that continuation school districts could be formed in various ways. For continuation classes established by elementary schools, boundaries were to be coterminous with elementary school boundaries, while those established by county councils could be designated any way the council saw fit. When one single board established a continuation school, it became the continuation school board. When two or more sections co-operated to form a continuation board, the continuation school board was composed of no more than two-thirds of the members of the public boards forming it. County councils could also establish continuation boards, in which case all continuation schools in one township were administered by one board of trustees with seven members: three members were appointed by county council, three by municipal council, and one separate school representative was appointed by the separate school board or by the township council from among the separate school supporters.

This same year, voters for public school trustees were to be ratepayers, of full age of 21, public school supporters, or farmers' sons. Anyone who was exempt from school rates was disqualified. In addition, voting could proceed by ballot or poll book.

Legislation in 1913 recognized county continuation schools as high schools and specified continuation schoolboard membership. When established by the joint action of two or more boards, the continuation school board was to consist of not more than two-thirds of the members of the boards concerned. The county council could appoint one member to each continuation school board that had jurisdiction within the county, because the county council contributed to the financial support of the contination schools (Fleming 1971, p. 117).

1920-1950

Various acts and amendments addressed specific elements of the educational system during this period, e.g., for township school areas in 1921 and 1932 (Fleming 1971, pp. 114-5). But no major adjustments to the previous laws were made. The School Law Amendments Act, 1938,[63] provided further clarification on number of members of high school boards. At least three trustees were required and the number of additional trustees to be appointed was dependent both on the size of municipalities and the number of municipalities in the district. In 1941, specific legislation[64] provided for the formation of a metropolitan separate school area in Toronto.

Finally, in 1948, county councils were authorized to establish a board of education in any high school district at the request of the municipal councils involved, without requiring ratepayer approval. The membership of the boards of education varied with the population of the administrative unit. Thus in cities with populations greater than 50 000, boards consisted of 14 members, 12 elected by the public and 2 appointed by the separate school board of the municipality. Where ward systems operated, two members were elected from each ward. In smaller cities, 10 members were elected and one was appointed by the separate school board. In towns and villages, 7 members were elected. Trustees were to hold office for overlapping terms of two years unless the voters decided by referendum to have annual elections (Fleming 1971, p. 119).

1901-1950: SUMMARY

Hope (1950) summarized the situation with respect to boards at this time: elected trustees were to be supporters of the appropriate board; in school sections and districts three-member boards were the norm; cities and towns generally had seven representatives, although some had as many as 23. School boards varied from 3 to 11 members with the median size being 9. Further details of specific cases follow: boards of education were elected by qualified voters who had as many votes as members and who had the option of giving up to three votes for one or more candidates; public school electors were to be British subjects, age 21, resident ratepayers, or husband or wife of a ratepayer, or son or daughter of a person assessed as a farmer if resident on the farm with the owner and not disqualified under the other sections; in the case of separate school trustees, candidates were to be Roman Catholics and the head of a family, British subjects, and at least 21 years of age; a trustee had to reside and continue to reside within the municipality for urban schools and within the three-mile radius for rural schools.

Hope (1950) reports that the common practice worldwide concerning trustees was not to furnish remuneration. In Ontario, transportation expenses and a per diem allowance for certain types of boards were permitted; however, the amounts were minimal. By 1950, public school trustees, for example, could receive a mileage allowance of 7 cents and an allowance of $5 for each of not more than 12 meetings.

At the time, all debentures for public school purposes were issued by the municipal council, and, if council refused to pass the by-law, the question was put to the ratepayers for approval, a procedure that has since passed from the Ontario scene.

1951-1985: THE CONTEXT

Provincial Details

Hope (1950) outlines the municipal organization of the province in 1950: 12 territorial districts in the north and 43 counties in the south. Today the territorial districts contain 85 per cent of the total area of the province, while the counties hold over 85 per cent of the population. Since the Hope Commission, the provincial population has increased from approximately 4 500 000 to over 9 000 000. Due to the postwar baby boom, moreover, enrolments increased dramatically during the 1950s and 1960s. Although enrolments fell during the 1970s,[65] the echo effect of the baby boom is now beginning to affect numbers.

Recognition that issues were becoming broad-based and that regional planning was required led in this period to the emergence of the notion of regional governance, and to various experiments in the province (O'Brien 1975).

Education

Through these last years, movement towards meeting the needs of all students developed. Increased enrolment, rapid expansion, and reorganization of programs characterized education during the 1960s. The Robarts Plan, introduced in 1962, organized secondary education into three streams: Arts and Science, Business and Commerce and Science, Trades and Technology, at both 4- and 5- year levels. The revision itself was extremely costly, resulting in more students being retained for Grades 11 and 12.

In 1964, the new Foundation Plan was developed with the intent of compensation for inadequate local assessment revenue. As time passed, the provincial grant system was modified further in an attempt to reach an equitable system for all boards in the province.

Grade 13 examinations were abolished in 1965. Program changes, such as the gradual introduction of the credit system (1969-1972), special education (through Bill 82) in 1980, and most recently Ontario Schools: Intermediate and Senior Division, 1984 (OSIS), have been made in an attempt to revitalize the system. Reviews of education in the province, such as those of the Hall-Dennis Commission (1967) and the Secondary Education Review Project (1981), have contributed to the change. Administrative reorganization has complemented educational revisions.

By 1950, the modified township was the basic unit of administration for elementary schools in over half of the former rural sections (Hope 1950).

In keeping with encouragement provided by the province's superintendents of education and by means of opportunities within various pieces of legislation, a large number of voluntary considerations occurred in the late 1950s and early 1960s (Ministry of Education, 1981 (a), p. 36). Then on January 1, 1965 the number of public school boards in rural areas decreased from 1850 to 432 and in urban areas from 258 to 182.

This came about through an amendment passed to the Public Schools Act, whereby each rural township was declared a school area. All villages, towns, and city districts with populations of less than 1000, or with average daily attendances of less than 100, were attached to the adjacent township school area. In these new township school boards, 5 trustees were to be elected at large by ratepayers, while in the remaining public boards in villages, towns, and remote areas, 3 to 9 trustees were to sit on boards. The amendment enabled district high school boards to have from 10 to 15 trustees, while boards of education could have from 8 to 20, depending on the jurisdiction's size. Citizens were represented by about 8500 trustees, 6500 of them on public and secondary boards, and 2000 on separate boards (Ministry of Education: Committee on Trustee Representation, 1982, p. 10).

In 1967, there were still 170 district high school boards and the districts were not coterminous with counties. Further reorganization in 1969 established boards of education for counties and the designated cities, and reduced the number of boards to less than 200 in all. The then Department of Education had been dealing with local authorities ranging from the extremes of the Toronto Board of Education, with an operating budget in 1965 of over $34 000 000, to a school section in the Cochrane District, which operated on a budget of $7644. As Harris (1967) observed, "unless the local authorities are of roughly comparable size, it is not likely that a proper balance between central and local authority can be obtained" (p. 136).

Writing in 1967, Harris observed that the responsibility for education was shared by the local boards and the Department of Education. School boards were responsible for provision of facilities and supplies, as well as for hiring and paying teachers. The Department was responsible for training and certificating teachers, for authorizing texts, and for preparing curriculum guidelines. This division of responsibilities continues today; yet with the development of county boards, the supervisory role of Ministry officials is said to have progressed to one of leadership and support, while evaluation and monitoring have been assigned to the supervisory officials of the local boards.

Premier William Davis' announcement of June 12, 1984, to extend full funding to Roman Catholic Separate schools and to establish the Commissions to consider planning and implementation, educational finance, and private schools, has significant implications for the future. The review which is currently underway promises once again to bring revisions both in program offerings and organizational structure. A recent report on Education Minister Sean Conway's address to an all-party legislative committee holding hearings into Bill 30, which would extend full public funding to Catholic high schools, stated that:

> separate school representatives who run for public boards will have terms lasting a minimum of 13 months. Although there won't be trustees elected to oversee French-language schools on boards of education this year, the minister said new legislation to provide for that will be brought before the legislature this fall and Francophone trustees should be seated on school boards by 1988 at the latest.
>
> Roman Catholic representatives on boards of education are expected to lose their positions when separate school supporters are allowed to shift their secondary school taxes from the public school system to separate schools.
>
> The London Free Press, September 6, 1985

The evolution of the governance of Ontario's educational system continues.

1951-1985: LEGISLATIVE DEVELOPMENTS

1953

The Municipality of Metropolitan Toronto Act had several major educational provisions:

- to establish boards of education in North York and Scarborough;
- to establish the Metropolitan School Board to represent the 11 boards of education and to co-ordinate the provision of education throughout Metro; and
- to provide for the distribution of provincial grants to the individual boards by the Metropolitan School Board.

1964

Through Bill 54, townships and small urban municipalities were organized into township school areas. A century after Ryerson proposed townships as the organizational unit for elementary education, his idea was realized. This action was the culmination of Department efforts to encourage consolidation of school sections. At one time 5757 school sections existed, mostly operating one-room schools; by 1964, 634 township school areas had been established. But problems remained (Harris 1967). No unified attack on problems of education was apparent. Little attention was paid to the interlocking levels of education. Changes at one level were blocked by the processes at another. No global perspective was evident. Further consolidation was required.

1966

Legislation was passed to restructure the Metropolitan Board of Education for Toronto and to change its name to the Metropolitan Toronto School Board. Six area boards of education were established, one for each of the boroughs of East York, Etobicoke, North York, Scarborough, and York, and one for the City of Toronto. The legislation became effective in January 1967.

1968

This legislation[66] adjusted the number of separate school representatives who were to serve on boards of education and secondary school boards to more closely reflect an area's number of separate school supporters. Once the number of trustees was determined,[67] the number of separate school trustees was to be calculated by the product of the ratio of separate school assessment to public school assessment[68] and the predetermined number of trustees.[69] For cities, separate school trustees were in addition to the public school trustees; for divisional boards, the separate school trustees were to be the appropriate proportion of the established total number. Again in the case of cities, at least two trustees were to represent separate school supporters, and in the case of divisional boards at least one trustee was to speak for separate school ratepayers.

1969

Bill 44 (came into force in January 1969) was a "piece of legislation designed to completely overhaul the educational system, creating county boards across Southern Ontario to replace the hundreds of small boards which had previously fragmented the educational process for every young person. These larger boards would have a strong local tax base .... Some weeks later an amendment to the Separate Schools Act was introduced into the Ontario Legislature reducing the number of boards to thirty-one" (Pitman 1975, pp. 21, 22). The consolidation trend[70] was completed and by September 1969, 192 boards were defined for the province.

Importantly, the legislation of the late 1960s, on compulsory reorganization and consolidation, established the system of trustee representation as it exists today:

- Members of boards of education in defined cities which already had such boards were to continue the method of election in operation at the time the consolidation legislation was passed, but with this addition: a minimum of two trustees was to be elected by separate school supporters based on residential and farm assessment ratios.

- Each of the county boards, and those board units drawn up for Northern Ontario, were to elect a fixed number of representatives dependent on the population of the unit. These trustees would be elected from subdivisions determined by county councils. Separate-school-supporting members, were to be elected at large, with provisions for wards when more than four trustees were to be chosen. These elections were to be held biennially.

- The situation in Ottawa was to be dealt with by special legislation which came into effect on January 1, 1970.

- Those rural sections and township school areas in Northern Ontario too remote to be included in designated school divisions were to remain under local boards which were to exist for public school purposes only.

- The precedent was established for apportioning county trustees on the basis of equalized farm and residential assessments. Today, it is often assumed that this precedent is quite dated, but actually it can be traced to this period when - in an effort to make the larger boards responsive to small communities - a bargain was struck whereby farm residents would have a sufficient number of trustees to speak for them. (If all assessments had been used in this formula, rural citizens could have claimed that they would have no spokesperson of their own.)

The "advisory vocational committee" established to provide community involvement for schools operating vocational programs was to continue. Those schools using French as the language of instruction were to establish "French-language Advisory Committees" (FLAC) composed of non-board members, elected at a meeting of the French-speaking ratepayers. At the present time, the FLAC committee must be heard by the board. In the event that a school board does not accept its recommendations on issues related to the French-language school, the FLAC can appeal to the Language of Instruction Commission.

1974-1980

"The passage of the Education Act, 1974 ... was a consolidation of five acts which had been amended many times over in response to changing demands of society" (Gilbert et al. 1983). The new act essentially clarified and consolidated previous legislation, although it did introduce some changes. This consolidation (of the Ministry of Education Act, the Public Schools Act, the School Administration Act, the Secondary Schools and Boards of Education Act, and The Separate Schools Act) is the ultimate authority for powers presently granted to the Minister of Education and to the boards.

Bill 82, passed in 1980, stands as a significant amendment to the Education Act. Through the special education requirements, school boards must provide (or purchase) education for all resident pupils, regardless of their exceptionality. The bill requires the formation of a "Special Education Advisory Committee" (SEAC) by representatives of local associations concerned with education for those with special needs; this committee is to examine issues related to special programming and to advise the board.

1951-1985: SUMMARY

Harris' summary (1967) of the situation in the mid-1960s bears repetition. By 1965 there were four types of school boards: public school boards (for public elementary schools), separate school boards (for separate elementary schools), high school boards (for public secondary schools), and boards of education (concerned with public elementary and secondary schools). Today most schools are managed by boards of education or separate school boards, although Gilbert et al. (1983) do identify some 11 different types of school boards.

In the mid-1960s, trustees of public boards, separate boards, and boards of education were elected by local ratepayers. Trustees of high school boards were appointed by municipal councils and by public and separate school boards. Furthermore, separate school boards had the right to appoint one or two members to the board of education which operated the public secondary school in the region. Boards of education were established where elementary and secondary administrative units coincided (Harris 1967).

Since the administrative revision of 1969, although there are exceptions at the present time, school board members are generally elected by local residents. Numbers of trustees vary with the population of geographic areas. To qualify for election, an individual must be a Canadian citizen, at least 18 years old, resident within the jurisdiction of the board, and the appropriate school supporter. Those who are members of other boards, municipal councils, clerk or treasurer of a county or municipality, member of the Legislative Assembly, Senate, or House of Commons, or employee of the board are excluded from service as trustees. Public boards of education still have representatives for secondary school purposes, but now they are elected by the separate school supporters, the number of representatives determined by the proportion of assessment assigned in support of the separate schools.

By 1970,[71] school trustees were to receive a maximum monthly honorarium based on enrolment varying from $10 (where enrolment was less than 100 students) to $300 where enrolment exceeded 60 000. Under the present legislation,[72] boards may at any time decrease their allowance, but increases can only be established for the subsequent board.

CONCLUSIONS

Throughout the 18th century, education was viewed as a private responsibility, incidents of popular education taking the form of charitable initiatives. At the beginning of the 19th century, education was primarily available only to those of private means wishing to take leadership roles in church and state (Fleming 1972; Hope 1950). In Ontario, as these attitudes and practices changed, the public and separate systems developed with substantial public money being directed towards education. Residents of Ontario today enjoy the benefits of freely accessible elementary and secondary education provided by a system which claims to be "among the most advanced in the world" (Ontario Ministry of Education 1981(b), np). Responsibility for this system is shared by the province and the local community: both provincial grants and local taxation support the educational enterprise; both the Ministry of Education and local boards provide direction for the schools.

When the seeds of the present system were sown, the element of shared responsibility was introduced within the organizational structures which emerged to safeguard the "public interest". As the first provincial funds were channelled towards education, local trustees were selected: trustees for the first district grammar schools of 1807 were appointed by the Lieutenant-Governor; trustees for the first common schools of 1816 were elected locally. Although the balance of responsibility and the nature of local representation has altered over the years and at times intermediate bodies of authority have been introduced, the fundamental principle of shared responsibility with local representation has persisted.

Local trustees have been selected to safeguard the local public interest. But precisely what public (or publics) do trustees serve? Throughout history, voters have frequently been required to be ratepayers. More recently, the franchise has been extended to other residents, apparently in recognition of the interest all citizens share in education. How should trustees be selected? Only recently has Ontario's legislation been adjusted to include the election, not the appointment, of secondary school trustees. And how should trustees be apportioned? In the past, token representation for separate school supporters was provided for boards responsible for secondary education. More recently, the number of trustees is to be determined by the proportion of assessment assigned for separate school support. In the past, Francophone representation was overlooked. Of late, FLAC Committees have served an intermediate role concerning that representation. Further changes appear imminent.

The educational system of Ontario has developed and changed over the years, adapting to changes in expectations and circumstances. Legislation in both the areas of education program and of organizational structure has been revised many times. If the past is a guide, and when major societal circumstances shift, revisions may be expected again.

NOTES

1. Contrasts between urban and rural, public and separate, elementary and secondary are but a few examples.

2. In J. Hodgins (1908), Documentary History of Upper Canada, Vol. VI, pp. 298, 299, 315, 316.

3. The complaint was directed at the Church of England.

4. A township was generally about 100 square miles.

5. An Act to Establish Public Schools in Each and Every District of this Province, 47 Geo. III, ch. 6, S.U.C.

6. The legislation specified that trustees were to be "fit and discreet persons".

7. Phillips (1977) outlines the classical nature of the education which was provided in the grammar schools, by masters who mostly were clergy.

8. In J. Hodgins (1908), Documentary History of Upper Canada, Vol. I, pp. 76, 77.

9. An Act Granting to His Majesty a Sum of Money to be Applied to the Use of Common Schools Throughout This Province, and to Provide for the Regulation of the said Common Schools, 56 Geo.III, ch. 36, S.U.C.

10. Trustees were to be "fit and discreet persons".

11. No property qualification existed for electors at this time (Fleming 1971).

12. In 1824, at least 11 members of the district board of education also served as grammar school trustees (Hodgins 1908).

13. Coleman (1907) presents the image of the typical common school teacher as an undesirable transient who was morally and intellectually lacking.

14. An Act granting to His Majesty a sum of Money, to be applied to the use of the Common Schools throughout this Province and to provide for the Regulation of the said Common Schools, 1 Geo. IV., ch. 7, S.U.C.

15. With time, the grant was increased, by 1841 exceeding £20 000.

16. An Act to make permanent and extend the provision of the Law now in force for the Establishment and Regulation of Common Schools throughout this Province, and for the granting of his Majesty a further sum of money to promote and encourage education within the same, 4 Geo. IV, ch. 8, S.U.C.

17. Because native education has developed as a federal responsibility, education for Indian children is not considered in this discussion.

18. Assistance in the amount of £150 (pounds) was made available for education in Sunday Schools in the province. An excerpt from the Kingston Gazette (1817) states that "the intent of a Sunday School is chiefly to instruct the children of the poor, that have not the means or opportunity of getting them instructed" (Hodgins, op.cit., 1907, Vol. I, p. 129).

19. An Act to Repeal part of, and to amend, the Laws now in force for establishing Public (Grammar) Schools in the several Districts of the Province and to extend the provision of the same, 59 Geo. III, ch. 4, S.U.C.

20. Although the legislation was designed to make grammar schools more accessible, Phillips (1957) observes that "by Strachan's own admission in 1832, not a single grammar school had scholarship pupils from the common schools in attendance" (p. 108).

21. An outline of these progressive bills is available in the Hope Report (1950), pp. 205, 206.

22. An Act to Provide for Advancement of Education in this Province, 2 Vict., ch. 10, S.U.C.

23. This marked the first formal declaration of the principle of shared responsibility, not only for instruction but also for facilities (Coleman 1907).

24. As individual school societies were incorporated with their membership subscriptions to support education, the requirement that trustees of the society be British subjects was typical.

25. When this system of local municipalities was established in 1849, every city and town was designated to constitute a high school district; city high school boards consisted of a minimum of three trustees appointed by the municipal council, but one additional member could also be appointed by each public and separate school board in the urban municipality. In jurisdictions other than cities and separated towns in southern Ontario, high school districts could be established by county councils. For high school districts consisting of one municipality, boards consisted of three trustees appointed by the municipal council. Other arrangements were fostered for districts with two municipalities or territorial districts (Fleming 1971).

26. At this same time there were 2 model schools with 547 students and 312 private schools with 6743 students.

27. A separate school could be established by those whose faith differed from the majority. Consequently both Roman Catholic and Protestant separate schools were possible. Sisson (1959) reports that in 1850 there were approximately 30 separate schools, half Roman Catholic and half Protestant. But the system which developed for Protestants was not as complete as that for Roman Catholics. Hope (1950) reports only eight Protestant separate schools in 1900, a number which decreased to three by 1949. Today only two Protestant separate school boards remain in the province.

28. Hope (1950) reports that the maximum number of "coloured" separate schools was three in 1875, and that the last one ceased operations in 1891. The provision for these schools was officially revoked in 1964 (Gilbert, Martin, and Sheehan 1983).

29. An Act to Repeal Certain Acts Herein Mentioned and to make Further Provision for the Establishment and Maintenance of Common Schools throughout this Province, 4 and 5 Vict., ch. 18, S.P.C.

30. Five commissioners were elected in townships entitled to one district councillor and seven commissioners were elected in townships entitled to two district councillors.

31. The move was not an entirely popular one. Correspondence from Samuel Armour to Mr. Murray, Assistant Superintendent of Education for Upper Canada, stated "we object to ... nominating the District Council a Board of Education. We do so, because from the formation of that Council, very many of the most illiterate men are chosen, and, consequently, the most improper persons to be entrusted with care of education of the County (are selected)" (Hodgins, op.cit., 1908, Vol. IV, p. 314).

32. 4 and 5 Vict., ch. 10, S.P.C.

33. An Act for the Establishment and Maintenance of Common Schools in Upper Canada, 7 Vict., ch. 29, S.P.C.

34. An Act for the Better Establishment and Maintenance of Common Schools in Upper Canada, 9 Vict., ch. 20, S.P.C.

35. A fine of £5 was specified.

36. This body became the Council of Public Instruction which in turn became the Department of Education.

37. The Act Amending the Common Schools Act of Upper Canada, 10 and 11 Vict., ch. 19, S.P.C.

38. An Act for the Better Establishment and Maintenance of Common Schools in Upper Canada, 13 and 14 Vict., ch. 49, S.P.C.

39. The Township of Enniskillen in Lambton County.

40. An Act to Amend the Law Relating to Grammar Schools in Upper Canada, 16 Vict., ch. 186, S.P.C.

41. An Act to Amend the Laws relating to Separate Schools in Upper Canada, 18 Vict., Ch. 131, S.P.C.

42. 22 Vict., ch. 64, S.U.C.

43. An Act to Restore to Roman Catholics in Upper Canada certain Rights in respect to Separate Schools, 26 Vict., ch. 5, S.P.C.

44. An Act for the Further Improvement of Grammar Schools in Upper Canada, 29 Vict., ch. 23, S.P.C.

45. Public school trustees were responsible for public schools; separate school trustees were responsible for separate schools.

46. Locally elected common school trustees were replaced briefly (1841-43) by elected township commissioners.

47. Union boards and township boards were exceptions.

48. Until 1853, trustees were appointed by the Lieutenant-Governor; thereafter they were appointed by city or county councils.

49. An Act to Improve the Common and Grammar Schools of the Province of Ontario, 34 Vict., ch. 33, S.O., 1871.

50. In 1891, the compulsory age was defined to be 8 to 14.

51. An Act to Amend and Consolidate the Law Relating to the Council of Public Instruction, the Normal Schools, Collegiate Institutes and High Schools, 37 Vict., ch. 27, S.O.

52. The majority of union boards had been introduced to provide financial support for the grammar school, a move which proved "to be detrimental both to the common schools and to the grammar schools" (Hope 1950, p. 209).

53. 42 Vict., ch. 34, S.O.

54. An Act Consolidating and Revising the Public Schools Act, 59 Vict., ch. 70, S.O.

55. Continuation classes provided education at the Grades 9 and 10 level.

56. 1 Edw. VII, ch. 39, S.O.

57. 62 Vict., (2) ch. 27, S.O.

58. The Commission Appointed to Enquire into the Condition of the Schools Attended by French-speaking Pupils was established in 1925 and reported in 1927.

59. An Act respecting Boards of Education in certain Cities, 3 Edw. VII, ch. 31, S.O.

60. At the time the legislation applied only to Toronto.

61. Exceptions to consolidation were Cornwall, North Bay, Ottawa, and Sudbury, four communities with substantial Francophone populations.

62. An Act Respecting Continuation Schools, 9 Edw. VII, ch. 90, S.O.

63. 2 Geo. VI, ch. 35, S.O.

64. An Act Respecting the Board of Trustees of Roman Catholic Separate Schools for the City of Toronto, 5 Geo. VI, ch. 82, S.O.

65. In 1970, over 1 465 000 students were enrolled in public elementary school; by 1980 approximately 1 240 000 students attended. The secondary schools in the province served 556 913 students in 1970, 605 160 in 1975, and 586 261 in 1980. During the same period, enrolments in separate schools have shown moderate increases. In 1970, 418 433 students were enrolled; in 1980, 423 438 were registered; and by 1983, 433 502 were on the rolls.

66. An Act to amend the Secondary Schools and Boards of Education Act, 17 Eliz. II, ch. 122, S.O.

67. For defined cities, the number of trustees to be elected by public school supporters was either determined by population or by ward structure. In the event of ward structure, two trustees were elected from each ward; otherwise, numbers were determined by population as follows: less than 10 000, six trustees; between 10 000 and 50 000, eight trustees; between 50 000 and 100 000, ten trustees; and over 100 000, twelve trustees. For divisional boards, the total number of trustees was determined by population as follows: less than 50 000, fourteen trustees; between 50 000 and 100 000, sixteen trustees; between 100 000 and 150 000. eighteen trustees; and over 150 000, twenty trustees.

68. Only residential and farm assessment was to be considered in the calculation.

69. In the case of city boards, the number of public school trustees was used; in the case of divisional boards, the total number of trustees was used.

70. At this time, the number of boards was reduced from 1358 to 192.

71. The School Administration Act, ch. 424, R.S.O., 1970.

72. Education Act, ch. 129, R.S.O., June 1983.

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4. TRUSTEE REPRESENTATION IN ONTARIO: A FOCUS ON THE CURRENT METHOD OF APPORTIONMENT

- Daina Watson

The Education Act specifies the responsibilities, conduct, qualifications, and, for most boards, the methods of election of trustees in Ontario. In general, the Minister of Education determines the rules to be followed for election purposes as set out in the Education Act, the municipalities have the responsibility to make the determinations of trustee distributions within the jurisdiction according to these rules, while the boards of education have little role to play in determining the election process. Trustees are elected at the time of municipal elections, and these elections are conducted by municipal officers following regulations set out in the Municipal Elections Act. Bill 119, an amendment to this Act in 1982, increased the term of office for all municipal representatives from two to three years.

Voter eligibility is defined under the Municipal Elections Act (sections 12-15). Electors must be at least 18 years of age and must be either Canadian citizens or other British subjects. In order to vote in a given municipality, electors must be residents, or owners or tenants of land (or their spouses) in that municipality. A separate school elector is defined as "an elector who is a Roman Catholic school supporter or who is a Roman Catholic and the spouse of such supporter and any person entitled to be a separate school elector under the Education Act" (section 1(36)). Court judges, inmates of penitentiaries, and patients in psychiatric hospitals who have been declared incompetent are ineligible to vote.

In order to hold office as a trustee, a person must be:

(a) a Canadian citizen

(b) of the full age of 18 years

(c) a resident within the area of jurisdiction of the board; and

(d) in the case of

  (i) a public school board, a public school elector,

  (ii) a Roman Catholic separate school board, a separate school elector,

  (iii) a member of a board of education to be elected by public school electors, a public school elector, and

  (iv) a member of a board of education to be elected by separate school electors, a separate school elector. (Education Act (section 196)).[1]

Certain categories of persons are ineligible to be elected as trustees:

° employees of a board of education may not be elected as members of the board by which they are employed (section 195);

- members of any other boards of education (section 196 (3)(a));
- members of municipal councils or local municipal boards within the area of jurisdiction of the board for which election is sought (section 196(3)(a));
- clerks or treasurers of counties or municipalities within the area of jurisdiction of the board (section 196(3)(b)).

Consideration is given in Ontario to two major population groups for school and trustee election purposes: public school supporters and Roman Catholic separate school supporters. Roman Catholics were provided with certain rights and privileges regarding denominational schools under section 93 of the British North America Act, 1867, and public policy in Ontario since 1899 has been to provide public funding of Roman Catholic separate schools to the end of Grade 10. Section 29 of the Constitution Act, 1982, reinforced these rights, and in June of 1984, the then Premier William Davis announced the government's decision to eventually extend separate school funding to all secondary school grades starting with Grade 11 in 1985.

Roman Catholic separate school boards are elected to govern schooling in publicly funded grades. Because, after elementary school, many Roman Catholic students transfer to public secondary schools, provision is made for separate school trustees to sit on public school boards to look after the interests of these students. These trustees may not move, second, or vote on any motions which affect public schools exclusively, i.e., they are considered to be trustees for secondary school purposes only (section 55(4), 60(5)).

The general approach taken in the Education Act to trustee representation is to base the total number of trustees in a jurisdiction on total population in that jurisdiction and then to apportion these trustees to various subgroups (public-separate, urban-rural) on the basis of equalized residential and farm assessments. In some jurisdictions, the number and composition of boards of education is determined by special legislation of the regional municipality or by the County Act. For example, the Regional Municipality of Ottawa-Carleton Act determines the composition of the board for the Carleton Board of Education and the Ottawa Board of Education; trustee representation in the Metropolitan Toronto boards is determined by the Municipality of Metropolitan Toronto Act.

In addition to elected trustees, Indian trustees may be appointed to boards where agreements are made for the education of Indian pupils. The appointing body is the council of the band(s) to which the majority of the Indian pupils attending school belong (section 165(4)). Normally one trustee is appointed, but where more than 25 per cent of the average daily enrolment in the schools of the board are Indian pupils, two trustees may be appointed (Section 165(5)). If there are fewer than 100 Indian pupils or 10 per cent average daily enrolment of Indian pupils, the board may appoint an Indian representative at its discretion (section 165(6)). Representatives chosen by a band to sit on Roman Catholic school boards must be Roman Catholic.

Although Francophones are not formally elected as trustees at this point, representatives are elected to sit on the French-language advisory committees. The chairperson of this committee has the right to attend meetings of the board of education, and various recommendations made by the committee must be taken into consideration on matters affecting French-language students, classes, or schools within the board's jurisdiction.

For those jurisdictions which use the Education Act to determine trustee representation, different rules apply according to the type of school board. Table 4.1 indicates the various categories of boards covered in the Education Act and the number of school boards within each category. Appendix 4.1 sets out in detail the method of trustee representation for each of the nine categories of school boards.

TOTAL NUMBER OF REPRESENTATIVES

The total number of trustees elected varies according to the type of board (see Appendix 4.1). For divisional boards (other than those for defined cities, and boards in territorial districts where the school division includes fewer than four municipalities), the total board size is determined according to the population of the division as in table 4.2. This number includes trustees elected to represent both public and separate school supporters.[2] Only residents in organized municipalities are counted in the population total by which the number of trustees is to be determined - those living in unorganized territories are excluded.

The variation among boards in the number of trustees to be elected results in some boards feeling that methods applied to other categories of boards would be more appropriate to their situation. For example, the Lake Superior Board of Education feels that it must elect too many members because there are four municipalities within its jurisdiction and hence it is classified as a larger divisional board of education; the feeling of the board members is that the Lake Superior Board would be better served by being categorized as a territorial board whereby a smaller, more appropriate number of trustees would be elected. The Carleton Board feels that if it were governed by the Education Act, and not by the Regional Municipality of Ottawa-Carleton Act, it could elect more members.

Table 4.1

Type and Number of School Boards January 1, 1985[1]

Type of Board		Number of Boards
A. Boards of Education (Divisional Boards)[2]		77
1. Defined city boards	(3)	
2. Divisional boards other than defined city boards	(74)[3]	
B. Secondary School Boards		1
C. District School Area Boards (Public School Boards)		27
D. County and District Roman Catholic Separate School Boards		49
E. Rural Roman Catholic Separate School Boards		10
F. Protestant Separate School Boards		2
G. Boards on Tax Exempt Land		20
	TOTAL	186

[1] Adapted from Directory of School Boards, 1985, p. 17.

[2] The three defined city boards are in Hamilton, London, and Windsor

[3] Several boards in this category are subject to statutory provisions other than the Education Act. Examples are:

- The Regional Municipality of Ottawa-Carleton Act which gives the composition of the Ottawa and the Carleton Boards of Education. The Ottawa Board of Education is deemed to be a defined city board although its composition is not determined as for other defined city boards;
- The Regional Municipality of Metropolitan Toronto Act which gives the composition of the boards of education for East York, Etobicoke, North York, Scarborough, Toronto, York, and the Metropolitan Toronto School Board;
- There are several other boards, including RCSS boards whose composition is given in Acts other than the Education Act.

Table 4.2:

Total Number of Trustees on the Board of Education

Population of the Division	Number of Members
Less than 50 000	14
50 000 - 99 999	16
100 000 - 149 999	18
150 000 or more	20

HOW REPRESENTATIVES ARE APPORTIONED

For divisional boards, other than those for defined cities, after the total number of trustees to be elected is established, the apportionment is determined on the basis of equalized residential and farm assessment in decisions regarding the groups to be represented and the areas for representation.

In defined cities, representatives can either be elected at large or by a ward system. The option to be used is determined by the board of education which directs the municipality to act in accordance with its wishes. Because wards are generally determined on the basis of population, the underlying principle here is that of representation by population.

For divisional boards and for county and district Roman Catholic school boards, the guiding principle used for allocating representation is the group or area share of equalized residential and farm assessment.[3] This principle is a descendant of 19th-century thought that property and wealth, as well as persons, had to be represented (Balinski and Young 1982, p. 6). The municipal and/or town clerks are responsible for making the determinations of areas to be represented according to the formulas.[4]

Three problems exist in this phase of trustee determinations: the very nature of equalized residential and farm assessment, changing determinations, and the requirement that clerks make the determinations and apply their discretion to modify electoral areas in certain cases.

Problems arise from the use of equalized residential and farm assessment. A shifting tax base requires reassessment. A change in the equalization factor itself can result in unexpected changes in trustee distribution, as occurred in the 1980 elections. In essence, the use of equalized residential and farm assessment results in some changes in trustee distribution being based on fiscal factors and on application of the formulas, rather than on substantial changes in population.

Under the current Act, new determinations must be made prior to the municipal elections every three years. Before 1982, they were to be made every four years unless there was a change in population or a boundary change which required new determinations. While population and demographic shifts are generally slow, when they do reach a critical change point, the pattern of representation can shift radically. While this responsiveness to demographic change is a positive aspect of Ontario trustee determinations, various groups are often dissatisfied when they are required to accept changes in the status quo and a shifting power structure.

The parties responsible for determinations vary according to the type of board. In general, the clerks who make the allocation decisions come from the larger urban areas so that ratepayers residing in areas without municipal organization or those in smaller centres are not equitably represented in deliberations. Those making determinations may attach sections of surrounding areas to larger municipalities according to certain guidelines (see Appendix 4.1). While organized municipalities have the right to appeal these determinations to district judges, ratepayers in areas without municipal organization have recourse of appeal only to the board of education.

THE PLAN'S EFFECTIVENESS IN DIFFERENT TYPES OF COMMUNITIES

The use of equalized residential and farm assessment as a basis for trustee distribution seems to have been the major cause of problems within the existing system. The difficulties are manifested somewhat differently in southern Ontario boards and in northern territorial boards. A description of the method, a brief history and rationale for the use of these factors is presented next.

Equalized Residential and Farm Assessment as a Basis for Trustee Determination

The decision to base trustee representation on equalized residential and farm assessment in the legislation that set up county and district boards of education and combined separate school boards was made after rejecting population and student enrolment as options (Committee on Trustee Representation 1982, pp. 14-6). Population was rejected for a number of reasons: the differences in definitions of population, electors, and supporters (information on population and school support not having been gathered in 1968), and the fact that regional differences in public and separate school support would have led to unfair representation among municipalities where there were heavy concentrations of public or separate school supporters, if total population was used as the criterion (p. 14).

Pupil enrolment was considered too problematic as a basis for representation because of students attending schools in jurisdictions other than those in which they live, students within one family attending schools in different municipalities or types of boards (i.e., public or separate), and the forthcoming changes in board boundaries which would lead to an alteration in attendance areas (pp. 14-5).

The rationale for using assessments was based on the following considerations:

- assessments reflect the property owner's ability to pay;
- assessments were expected to remain fairly consistent;
- assessment information was collected annually and therefore would be up to date.

Because commercial and industrial properties are primarily located in large urban centres, including these assessments would result in trustee representation on boards by urban municipalities out of proportion with either population or pupils to be represented. Therefore, it was decided to use only residential and farm assessments for this purpose (pp. 15-6).

Assessment practices varied widely among municipalities, and it was felt that a process to equalize these raw assessments was necessary. Equalization factors were devised to solve this problem. A different equalization factor was designed for each municipality to be applied to the total assessment of the municipality in order to arrive at an "equalized assessment" of the area. These equalization factors were calculated on the assessment base used for taxation, i.e., the distribution of each school board in a district was based upon the amount of property taxes paid by the residents and non-commercial land owners in the municipality.

These factors were more or less frozen during the period from 1969 to 1979, unless a community had gone through a reassessment. Representation of trustees in school divisions that did not undergo amalgamation or population changes remained fairly constant under the new determinations made in 1972 and 1976. After the government assumed responsbility for assessment of all properties in the province in 1970, approximately 180 communities were reassessed. During 1970-1975 steps were taken to reform property taxation on the basis of market value assessments, and total assessments of most municipalities increased on a broad scale from 1969 to 1979. During the last few years, the value of residential and farm properties increased at a faster rate than the value of industrial and commercial properties. This resulted in a greater proportional increase in equalized assessment in rural areas than in urban areas, because the equalized assessment took into account all assessment including industrial and commercial.

These changes were reflected in the new set of equalization factors produced by the Ministry of Revenue in the summer of 1979. The new factors are a weighted average of the individual equalization factors developed for various classes of property in a community, i.e., they express the relationship between taxable assessment and equalized assessment. The basis of tax assessment was changed from unreal to real market value.

The Ministry of Education adopted these factors to produce the equalized assessment for determination of trustee representation in the 1980 elections[5] (pp. 16-7).

The equalization factors are used in the calculation of Resource Equalization grants and the apportionment of regional/county school board costs among the constituent bodies. When the new factors were devised, it was realized that if they were implemented in their raw form, large changes in municipal grant entitlements and the apportionments for regional/county and school board purposes would occur. Because of the widespread opposition to these new factors because they might cause serious hardships for many municipalities, the Provincial government guaranteed that no municipality would receive a reduced Equalization Grant in 1980 as a result of the new equalization factors. Also, the total taxable impact of the new equalization factors was cushioned to a maximum tax increase of five per cent. These new equalization factors should have created a fairer method for comparing assessments in municipalities, but for many reasons they did not. Because these factors were adjusted for the purposes of finance, but were maintained intact for the purpose of trustee distribution without appropriate cushioning factors and/or adjustments, there were shifts in trustee representation from urban to rural municipalities based on changes in these factors, not on any changes in rationale or method of apportionment.

The Committee on Trustee Representation was established to deal with the concerns of municipal councils and of some boards of education which had been expressed to the Minister of Education in the form of requests to consider amending the legislation governing the determination of trustee representation after the 1980 election (1982, p. 2).

Communities in Southern Ontario: The Urban-Rural Split

The Committee on Trustee Representation (1982, p. 38) states that the major cause of the shift in urban representation was the change in the equalization factors adopted for the 1980 elections. The Committee received briefs from 12 of the board jurisdictions which had experienced changes in urban-rural trustee representation. Eleven of the 12 board jurisdictions which expressed concern over the decrease of urban representation were mixed urban and rural boards. Five of these boards were in the Central Region,[6] four in the Western Region,[7] two in the Eastern Region.[8] While in each of these county boards one urban trustee was "lost" to the county municipalities, in the Northwestern board of Fort Frances-Rainy River, the town of Fort Frances lost two members.

The City of Stratford passed a resolution to petition the Minister "to make changes so that membership of boards of education more adequately reflect student population and education taxes paid ..." and forwarded the resolution to all other municipalities in the province, ten of which reported passing support of this resolution to the Committee (p. 21).

The concerns expressed to the Committee were fairly consistent among these boards. Dissatisfaction was felt about the following issues:

1. The new equalization factors calculated by the Ministry of Revenue took into account all classes of assessment including industrial and commercial; however, industrial and

commercial assessments are excluded when determining trustee apportionment which results in those areas that pay higher proportions of school taxes having smaller representation than those areas that pay less tax. Arguments have been raised opposing this position, on the basis that industrial and commercial taxes are not a burden that is born by the individual ratepayer.

2. The basis of trustee representation is on equalized residential and farm assessments, yet at that time rural areas received a tax rebate of 50 per cent. The Government proposed a further step in reform in property taxation in 1981 to provide full exemption from property taxation for defined farmland and farm buildings and for managed forests, while assessing farm residences in the same way as other single residences for property tax purposes[9] (Committee on Trustee Representation 1982, p. 48).

3. The change in trustee representation itself: From the time county boards came into being, the representation of the urban areas had been fairly consistent and concern was expressed, about the loss of representation, and shifts in power positions on the boards, by virtue of a change in numbers representing various groups. The communities do not want a larger share of board representation, rather, they want to maintain what they originally had. There has been a tradition in Ontario at all levels of the electoral system for overrepresentation of the rural areas.

4. The inconsistencies in the system whereby different assessment bases are used for trustee determination, taxation, and apportionment of the net budget of the board: For example, urban centres cannot use their commercial and industrial assessments to determine representation, but the assessment of large sections of non-resident populations in rural recreation areas is counted.

5. The inclusion of farm assessment reflects a radical increase in the value of land, whereas the farm population itself has not grown, and may in fact have decreased.

6. The present context creates a situation where those representatives responsible for raising the greatest proportion of revenue have a lesser degree of control or say over spending.

7. The population of the urban areas is not adequately reflected in the proportion of urban trustees elected; there is the fear that representation by population will all but disappear under the present legislation.

The Committee on Trustee Representation devised a factor which they called a "residential-only" factor based on examining sales of residences only in order to try to obtain an equalization factor which would equalize residential and farm assessment of a municipality, excluding any reference to industrial and commercial assessment. The rationale for this was that in section 59 (1)(a) of the Act, the definition of equalized residential and farm assessment is "... as adjusted by the latest assessment equalization factor applicable thereto" (p. 38). When these new factors were applied to a sample of jurisdictions, some would have gained a trustee relative to the 1980 election (i.e., this would have put the number of city trustees at the 1978 level), while other jurisdictions would still have experienced a loss of a trustee relative to their 1978 position.

Many of the concerns expressed can be summed up in the committee's observation that "it has been said that trustees now represent land and property values and not pupils or population as once was the case" (p.32).

Communities in Northern Ontario and the Territorial Districts

The Committee on Trustee Representation received a number of briefs from boards in the northern part of Ontario which expressed concerns about issues related to the use of equalized residential and farm assessments which reflected problems other than the competition between urban and rural communities for seats. Problems arose in small boards consisting of a number of municipalities with varying tax bases because of the contribution to municipal tax coffers by different industries, in boards where there is a substantial proportion of recreational property, and in boards where geographical realities come into play.

1. Municipalities with Differing Tax Bases: Two of the boards of education which submitted briefs to the Committee illustrate variations on the issue of differing tax bases: the Haldimand Board of Education and the Lake Superior Board of Education.

In Haldimand, the problem arises because of the length of time required to develop a giant industrial complex. While the tracts of land for the complex in Nanticoke are being developed, the property is classed as farmland for the purpose of assessment. Thus, land value increases and the community has a larger residential and farm assessment resulting in a gain of one or more trustees from the other municipalities. When the complex is completed, however, its classification will become industrial or commercial and a new determination of trustee representation will be required with a reversion of the number of trustees to the previous distribution (p. 25).

The problem in the Lake Superior Board of Education is that four municipalities, with comparable population but differing tax bases, have an inequitable distribution of trustees and educational tax levy. The basic reason for this situation is the wide variation in equalized residential and farm assessment directly attributable to the type of industry located in each town (see table 4.3).

Manitouwadge, because of the location of the mine in the community, has a relatively large equalized residential and farm assessment in the community, and the ratepayer's share of local taxation is about 23.5 per cent. However, because the mine's holdings underground are not taxed, it does not pay as large a portion of the township's total taxes as do the mills in

Marathon and Terrace Bay. Hence, the residents of Manitouwadge pay higher taxes than residents in the other communities. Schreiber has a low equalized residential and farm assessment relative to the other municipalities and has a lower share per ratepayer, because its total levy is low.

Table 4.3:

Lake Superior Board of Education

(a) Number of Trustees

TOWNSHIP	NUMBER OF TRUSTEES - 1980		
	PUBLIC	SEPARATE	TOTAL
MANITOUWADGE	4	2	6
MARATHON	3	-	3
SCHREIBER	1	1	2
TERRACE BAY	2	1	3
UNORGANIZED TERRITORY	-	-	-
TOTAL	10	4	14

(b) Population, School Enrolment, and Equalized Residential and Farm Assessment

			EQUALIZED RESIDENTIAL AND FARM ASSESSMENT[1]		
TOWNSHIP	POPULATION	K-13 ENROLMENT	PUBLIC	SEPARATE	TOTAL
MANITOUWADGE	3084	556	16.6	$10.2	$26.8
MARATHON	2317	581	12.9	.6	13.5
SCHREIBER	1937	263	9.2	9.9	19.1
TERRACE BAY	2560	391	12.5	5.8	18.2
UNORGANIZED TERRITORY	-NA[2]	-NA[2]	2.2	-	2.2
TOTAL	9898	1791	53.4	$26.5	$79.8

[1] In 100 000s

[2] NA - not available

(c) Industry, Industry Taxes and Tax Requisition Ratio

TOWNSHIP	TYPE OF INDUSTRY	TAXES PAID BY INDUSTRY	1981 TOTAL TAX REQUISITION RATIO[3]
MANITOUWADGE	Mine	none on underground holdings	23.5
MARATHON	Mill	heavy but different rate from Terrace Bay	31.5
SCHREIBER	C.P.R.	virtually none	4.4
TERRACE BAY	Mill	heavy but different from Marathon	39.7
UNORGANIZED TERRITORY	NA	NA	.9
			100.0

3 Share of total taxes levied by the board.

Source: Adapted from Committee on Trustee Representation (1982, pp. 26-8)

The Board expressed the concern to the committee that the rules for the next determination would result in the following shifts in trustee representation:

- public school representation would drop to nine, separate school representation would increase to five;
- Schreiber would double its members from two to four; and
- Marathon and Manitouwadge would each lose a member.

The Committee states:

> Ironically, Schreiber, with a low equalized residential and farm assessment, the least education taxes paid, and the smallest pupil enrolment, will double its representation, while Marathon, with the largest enrolment, will lose one. This imbalance, coupled with the shifts that will occur, according to the Board, only serves to increase the political tensions of the Board (p. 28).

2. Boards with Substantial Portions of Recreational Properties: In areas where there are sizeable numbers of recreational or seasonal properties, large assessments and low permanent population are factors which come into play. The new equalization factors affect the assessment of seasonal vacation properties and result in a shift of representation away from the main population centres to these vacation/unorganized areas. The Kenora Board of Education expressed the concern that with the continuing development of vacation land, the concomitant increase in equalized assessment of such property, and the fairly stable permanent population

in these areas, a situation will develop where "a high proportion of board members will be representing basically a non-resident population, and a significantly smaller number of members will represent the major population centre" (Committee on Trustee Representation 1982, p. 25).

A proviso to handle such a situation is included in what has been called the "Muskoka Amendment" (section 59(17)). Representation in territorial districts where the ratio of equalized residential and farm assessment for public school purposes in a district municipality to the total equalized residential and farm assessment in the school division differs 15 per cent from the ratio of the municipality's population to the total population of the school division, may be based on population rather than assessment.

An unusual situation occurs in the West Parry Sound Board of Education. The Township of the Archipelago, created by Ministerial order on April 1, 1980, provides 18.9 per cent of the equalized residential and farm assessment, but has only 3.7 per cent of the population (496 people of 14 395)(p. 49). Under section 59(17) of the Education Act, it is entitled to one trustee. However, the clause that permits unorganized territories to be attached to municipal areas (section 59 (11)) has been invoked in favour of Parry Sound. While Parry Sound on its own provides only 12.7 per cent of the assessment and 40.9 per cent of the population, with the addition of the unorganized territories, Parry Sound and its attachments provide 24.3 per cent of the assessment and 49.7 per cent of the population, which gives Parry Sound the right to elect 5 of 14 trustees. The residents of the Township of the Archipelago feel that the allotment of trustees should reflect the local flavour and represent the financial interests of the non-resident minority (Committee on Trustee Representation 1982, p. 24).

3. Other Issues for Northern Boards: The geographical area to be covered and the distance to be travelled by school board trustees to board meetings are concerns for some northern boards. In the Cochrane-Iroquois Falls Board of Education, for example, the member from Black River-Matheson is responsible for an area of 450 square miles and the feeling is that this area is too large to have only one member. Some boards have expressed a willingness to trade off strict issues of equity under the existing formula in order that more humanitarian concerns be taken into account. There is some feeling that trustees travelling to board meetings from significant distances should travel in pairs because of the hazards of driving across large areas of deserted territory in winter.

FORECAST REFORMS IN STRUCTURE

Some ideas have been bandied about the province as to how a more equitable method of trustee representation could be achieved. Many of the proposed solutions come from areas with an interest in changing perceived inequities in particular cases, while other suggestions have broader implications for changing the philosophical basis of trustee representation.

The Committee on Trustee Representation received a number of suggestions from provincial trustee associations for changes in trustee determinations. The Ontario Public School Trustees

Association has recommended "the development of a formula for the determination of representation from the various areas within a school jurisdiction based on a weighting of assessment and population" (pp. 28-9). The Association of Large School Boards in Ontario made a similar suggestion that "representation, now almost exclusively based on equalized assessment would be improved if a combination of assessment and population factors were used to determine membership on a school board" and also recommended that "school boards be given the right to determine the distribution of their own trustees within the framework of the applicable Act" (p. 29).

Among the suggestions for different bases for trustee representation made by others submitting briefs to the Committee were:

- total equalized assessment of municipalities including industrial and commercial assessment
- equalized residential assessment only
- equalized residential and farm assessment with farm lands eligible for rebate of taxes from equalized residential and farm assessment as currently used excluded from the calculation
- a percentage ratio using the product of two factors:
    (i) 50 per cent based on the ratio of population
    (ii) 50 per cent based on the ratio of levies to each member municipality
- a weighting formula similar to the formula used to limit the County Apportionment calculations when determining school board representation
- area population
- population - each trustee should represent approximately the same number of persons
- a combination of population and contribution to educational taxes
- the amount actually paid to support education
- a geographical area to be covered by each trustee
- a combination of municipal population, student population, and cost sharing
- an established minimum number of trustees for each municipality
- representation by each community
- student population
- a combination of student population and assessment
- the distribution of cost sharing
- a combination of permanent resident population and equalized assessment
- total equalized assessment for public school purposes with some weighting of residential assessment.

Suggestions reflecting other dimensions of trustee determinations were also made:

- once any given system of trustee determination is in place, it should remain stable for a long period of time;

- the actual determinations should be carried out at the local level by a committee of municipal clerks and trustees who could bring judicious judgement to the establishment of representation boundaries;
- all residential properties should be assessed at market value for educational purposes and the education taxes should then be equalized across the communities;
- separate representation should be guaranteed for unorganized townships where the number of ratepayers or the assessment warrants a member.

Issues of the viability of school boards and whether or not they are of much public interest in light of low voter concern, have been entertained in the province for a number of years. The Ottawa-Carleton Review Commission questioned if school boards should be elected at all, or if they should be run by committees of municipal councils. After noting the success of the County Councils in Alberta and in England, the commission reluctantly recommended that elected school boards should be maintained but should be reorganized in the Ottawa-Carleton area to incorporate a regional school board structure similar to that in Toronto (pp. 130-1). The rationale expressed for the decision to retain elected school boards was twofold: first, the complexity of administering the educational system should not be the responsibility of municipal councils, and, second, parent-trustee relations are different from those of municipal ratepayers and their elected councils.

Two pieces of legislation are currently in the reading stage in the legislature - one concerning French-language sections of school boards, the other respecting the extension of funding to Roman Catholic secondary schools. Both deal, in part, with the election of trustees. If passed, French-language trustees would, in future, be elected. As separate school funding is extended to Roman Catholic secondary schools, there would be a change in the structure of both public and separate school boards during the transition period. Three types of boards with elementary and secondary school jurisdiction would have to exist in Ontario - strictly public, strictly separate, and boards of education with trustees elected by both public school electors and separate school electors in those areas where the separate school boards do not choose to expand their operations to take advantage of the extension of secondary school funding. The details of the proposed legislation are as follows.

1. French-language Sections of Boards: Bill 75 (December 12, 1985 version) is aimed at amending the Education Act to provide for the governance of French-language instruction where English is the language of the majority. Under the provisions of section 23 of the Canadian Charter of Rights and Freedoms, in provinces where French is the language of the linguistic minority, Canadian citizens whose first language learned and still understood is French, or, who themselves received primary or secondary school education in French in Canada, or, citizens of whom any child has received or is receiving primary or secondary education in French in Canada, have the right to have all their children receive their primary and secondary school education in French. The Bill specifies that starting on December 1, 1986, where a board operates a French-language instructional unit, French-language governance must take place by

means of a French-language education council, and on December 1, 1988, a French-language section must be elected to a board operating a French-language instructional unit.

In a board where no French-language instructional units are in operation but an agreement has been made with another board to provide instruction in a French-language instructional unit for one or more resident pupils of the "home board", 10 or more ratepayers entitled to have their children receive French-language instruction under the Canadian Charter of Rights and Freedoms may apply in writing to the board to have a French-language advisory committee established (section 262(1)(b) and (d)). On December 1st, 1988, section 262(1)(c) comes into effect whereby the Advisory Committee is established if there are board agreements made to educate fewer than 300 resident pupils who form less than 10 per cent of the total calculated enrolment of the resident pupils of the board.

The French-language Advisory Committee (FLAC) will consist of a maximum of nine members and a minimum of six members. Six persons, who are not members of the board, are to be elected to the Committee (262(2a)(b)) and up to three members of the board may be appointed to this Committee (262(2a)(a)). In order to be either elected or appointed as a Committee member, individuals must, in addition to normal qualifications for board membership, have the right under the Canadian Charter of Rights and Freedoms to have their children educated in French (262(2b)). Only the chairperson of the committee or a designate may attend meetings of the board in the same manner as a regular board member. At board meetings the Chairperson of FLAC may participate in discussions on any matters which pertain to the jurisdiction of the Committee under section 267(1) of the Education Act (i.e., matters relating to the educational and cultural needs of French-speaking pupils and the French-speaking community) and may present to the Board the recommendations of the Committee on such matters (section 268). Section 268(1)(a) specifies that the chairperson has the right "to attend meetings of the board in the same manner as a member of the board".

In 1988, French-language sections of school boards will be established in cases where: French-language resident pupils form a minority (section 277d(4)) and the board operates a French-language instructional unit (section 277d(1)), or the board has made agreements with another board or boards to provide French-language instruction for a calculated enrolment of at least 300 resident pupils (section 277d(2)) or at least 10 per cent of the resident pupils of the board (section 277d(3)).

The procedure for determining the French-language section of the board will be as follows:

> The number of members of the French-language section of the board in relation to the total number of members of the board is determined by the following ratio:

CALCULATED ENROLMENT OF FRENCH-LANGUAGE RESIDENT PUPILS OF THE BOARD

TOTAL CALCULATED ENROLMENT OF RESIDENT PUPILS OF THE BOARD
(section 277f(1))

Because the total size of the school board is to remain the same as provided for in other sections of the Act, the number of members elected by the non-French-language sector will be reduced by the number of members elected to the French-language section (section 277f 2.). Minimums are established, however, and at least three French-language-section members must be elected. If the ratio presented previously results in a requirement of less than three members for the French-language section, the total board size is increased by three, less the number of members determined according to 277f(1)1. Thus a maximum of three additional members could be elected to a board in a situation where, in accordance with the ratio, less than .5 of a French-language representative is merited.

For boards where the regulations for determining areas to be represented by trustees are set out by a specific clause within any Act, the Minister is to prescribe the areas and/or methods to determine the areas of the French-language section of the board. The board may make recommendations on this matter to the Minister (section 277f(2)).

Electors must choose either to vote for representatives on the French-language section or on the "regular" board (section 277h(2)). The members of the French-language section are to be elected by a general vote, i.e., at large, of those electors qualified to be electors in respect of the French-language section of a board (section 277i(1)). These electors have a choice whether to vote either for members of the French-language section or for the other members of the board - they may not vote for two types of members. The qualifications for electors of the French-language section are: entitlement to vote in regular school elections and rights under the Canadian Charter of Rights and Freedoms to have their children educated in the French language in Ontario (section 277h(1)).

The Ministry has the responsibility to determine:

1. the calculated enrolment of French-language resident pupils, resident pupils other than French-language resident pupils, and the total calculated enrolment of resident pupils of each board (277o(1));
2. the number of members to be elected to the French-language section of each board in the next election (277o(2)).

Where the Ministry determines from its calculations that a French-language section of a board must be elected, the Minister must notify:

1. the board and the Languages of Instruction Commission of the results of the calculation;
2. the proper returning officer of the number of members to be elected to the French-language sector of the board;
3. the appropriate assessment commissioners; and
4. the public via public notice that the board qualifies to have a French-language section and the number of members to be elected to it (section 277o(6)).

These notifications are to be made by July 1st of an election year and may be appealed by July 15th by any member of the board, the Commission, or a committee on the basis of contention of the accuracy of the calculations (section 277o(7)).

If a board ceases to qualify to have a French-language section, the Minister may dissolve this section by order and if this occurs, a board must establish a French-language advisory committee within two months of dissolution (section 277q).

In the interim period between the passing of this legislation and the 1988 elections, French-language education councils must be established in every board where a French-language instructional unit is operational if French-language students are a minority (section 277u). The number of members of the French-language council are determined according to the ratio to be used for determining the number of members of a French-language section:

$$\frac{\text{CALCULATED ENROLMENT OF FRENCH-LANGUAGE RESIDENT PUPILS OF THE BOARD}}{\text{TOTAL CALCULATED ENROLMENT OF RESIDENT PUPILS OF THE BOARD}}$$

Any or all of the members of the board who are eligible to be members of the French-language education council may sit on such a council if they so choose, but must elect to do so in writing. If fewer board members elect to sit on the French-language council than the number of positions on the council, as determined by the Ministry, the remaining number of members must be elected in the manner of a French-language advisory committee. Once again, a minimum of three council members must be attained and where the number of electing board members is less than three, an election must be held to provide members for the unoccupied positions on the FLEC. The members elected are added to the board, thereby increasing its size.

All of the above conditions apply similarly to English electors and members where English is the minority language in a board.

2. Extension of Funding to Roman Catholic Secondary Schools: Bill 30, which received its first reading on July 4, 1985, is an Act to amend the Education Act regarding the extension of public financing to Roman Catholic secondary schools. If the amendment is approved in its current state, then the separate school board may "elect" to perform the duties of a secondary board for the area of jurisdiction of the board by passing a by-law in the board. After certification by the secretary of the board in question, the by-law shall be transmitted to the

Ministry. This by-law may be approved by the Minister upon receiving the advice of the Planning and Implementation Commission. The Ministry would then give notice of the approval to the Planning and Implementation Commission, the secretaries of all the other boards of education in the same jurisdiction, the clerks of all the municipalities within the area of the jurisdiction of the board, and the appropriate assessment commissioner (section 136a).

Beginning with elections to be held in 1988 (section 136i (2)), separate school electors will no longer elect members to a public board that has the same or part of the same area of jurisdiction as a Roman Catholic school board (section 136i (1)), i.e., a Roman Catholic separate board that offers secondary education. Members of public school boards elected by separate school electors will no longer be eligible to sit on the public board at the end of the first calendar year in which the Roman Catholic school board performs the duties of a secondary school board (section 136i(3)). Nor will separate school electors in such areas be eligible for election to a board of education (section 277t(1)).

While most of the comments in the latter part of this paper have been directed towards problems with trustee representation, the Committee on Trustee Representation does point out that "in nearly two-thirds of the school divisions in the province, there is general satisfaction with the present method of determining trustee representation" (p. 19). The Committee received 12 responses indicating satisfaction with the present arrangement and notes that 38 boards did not choose to respond to the request to express concerns, while nine boards expressed divided views.

Any dynamic system must try to accommodate conflicting interests. Advancement comes from examining problematic issues and trying to find a compromise whereby groups do not feel proportionately more disadvantaged than others as a result of changing procedures. By examining where the problems lie in the current system and keeping those elements that are found to be satisfactory, adjustments can be made to the method of trustee determinations that will keep this aspect of educational governance in step with the direction the province wants to move in the 1990s.

NOTES

1. References to sections of the Education Act refer to the Education Act, Revised Statutes of Ontario, 1980, chapter 129, with amendments, printed in February 1985.

2. This differs from defined cities where the population criteria is the base number with additional representation required for separate school supporters.

3. The exception is where equalized residential and farm assessment and population differ by more than 15 per cent, when population is used as the basis for determination.

4. In certain types of boards, the school board does the determination, not the clerks.

5. The 1982 elections used the composite factors produced for the 1980 election.

6. Peterborough County (Peterborough), Prince Edward County (Picton), Waterloo County (Kitchener), Wellington County (Guelph), York County (Richmond Hill).

7. Grey County (Owen Sound), Lambton County (Sarnia), Oxford County (Woodstock), Perth County (Stratford).

8. Frontenac County (Kingston), Leeds and Grenville County (Brockville).

9. These reforms did not take place, rather the tax rebate was increased to 60 per cent.

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APPENDIX 4.1:

SPECIFICS OF TRUSTEE DETERMINATIONS

A. DIVISIONAL BOARDS

1. Elections in Defined City Boards:

There are three ways in which public school trustees can be elected in defined cities - one by general vote and two ward-system options:

a. General Vote of Public School Electors

The number of members determined by the population of the municipality is as follows:

Population	Number of Members	
Less than 10 000	6	
10 000 - 49 999	8	
50 000 - 99 999	10	
100 000 or more	12	(section 57(1))

b. Ward System with Trustees Elected by Ward Electors

(i) Two trustees may be elected by and for each ward (section 58(1)). Each voter has one vote.

(ii) One trustee may be elected by and for each ward where the city is divided into five or more wards (section 58(2)).

Separate school electors elect members to sit on the public school board according to the following formula:

$$\text{MEMBERS ELECTED BY SEPARATE SCHOOL ELECTORS} = \text{NUMBER OF MEMBERS TO BE ELECTED BY PUBLIC SCHOOL SUPPORTERS} \times \frac{\text{RESIDENTIAL \& FARM ASSESSMENT OF THE PROPERTY RATEABLE FOR SEPARATE SCHOOL PURPOSES IN THE DEFINED CITY}}{\text{RESIDENTIAL \& FARM ASSESSMENT OF THE PROPERTY RATEABLE FOR PUBLIC SCHOOL PURPOSES IN THE DEFINED CITY}} \quad [1]$$

A minimum of two members (section 57(3)) must be elected by separate school supporters either by a general vote or by areas (similar to a ward system)(section 59(23)).

In defined cities, the board of education has the right to determine which options to choose for electing members. In order to change the system of election of members elected by public school electors, the board of education must pass a resolution by majority vote of members elected by public school electors and give notice of this change to the city clerk (section 58(3)). However, the previous method of election must have been in place for at least two regular terms (section 58(5)). In order to have the board members elected by separate school electors, elected by areas, the board must make a request to the municipal council to pass a by-law dividing the municipality into two or more areas for such purposes (section 59(23)).

2. Elections in Boards other than Defined City Boards:

The approach to electing trustees to these boards is to allocate the number of board members on the basis of equalized residential and farm assessment of the constituent subgroups - first by separating public and separate school support, then by apportioning representation to the cities, and then on the basis of distribution of equalized residential and farm assessment in the remainder of the area of the board's jurisdiction.

a. Determining the number of members to be elected The total number of members elected to the board is determined by the total population of the municipalities in the area (territories without municipalities that are deemed district municipalities are excluded from the population count). Smaller boards (territorial districts where there are fewer than four municipalities) are distinguished from larger boards for determining the number of members. The number of members to be elected is determined by population categories as follows:

Population		Number of Members
Smaller Boards:	Less than 3 500	5
	3 500 - 4 999	8
	5 000 - 10 000	10
Larger Boards:	Less than 50 000	14
	50 000 - 99 999	16
	100 000 - 149 999	18
	150 000 or more	20 (section 59(2))

b. Number of members elected by Public and Separate School Supporters Public school supporters elect the number of members to sit on the board according to the following formula:

$$\text{NUMBER OF MEMBERS TO BE ELECTED BY PUBLIC SCHOOL SUPPORTERS} = \begin{array}{l}\text{TOTAL NUMBER OF}\\ \text{MEMBERS ELECTED}\\ \text{TO THE BOARD}\end{array} \times \frac{\begin{array}{l}\text{EQUALIZED RESIDENTIAL AND FARM}\\ \text{ASSESSMENT OF THE PROPERTY RATEABLE}\\ \text{FOR PUBLIC SCHOOL PURPOSES}\end{array}}{\begin{array}{l}\text{EQUALIZED RESIDENTIAL AND FARM}\\ \text{ASSESSMENT OF ALL THE RATEABLE}\\ \text{PROPERTY IN THE SCHOOL DIVISION}\end{array}} \qquad [2]$$

A minimum of four members must be elected by public school electors in boards of education with fewer than 14 trustees and a minimum of six members must be elected by public school electors where the board is to consist of 14 or more trustees (section 59(4)).

The separate school supporters elect the number of members according to the formula:

$$\text{NUMBER OF MEMBERS TO BE ELECTED BY SEPARATE SCHOOL SUPPORTERS} =$$

$$\text{TOTAL NUMBER OF MEMBERS ELECTED TO THE BOARD} \times \frac{\text{EQUALIZED RESIDENTIAL AND FARM ASSESSMENT OF THE PROPERTY RATEABLE FOR SEPARATE SCHOOL PURPOSES}}{\text{EQUALIZED RESIDENTIAL AND FARM ASSESSMENT OF ALL THE RATEABLE PROPERTY IN THE SCHOOL DIVISION}} \qquad [3]$$

A minimum of one member must be elected by separate school supporters (section 59(5)).

c. Number of City and County and District Members Elected by Public School Supporters

To determine the number of members elected by each of the cities, the following formula is applied:

$$\text{NUMBER OF MEMBERS TO BE ELECTED BY EACH CITY} =$$

$$\text{TOTAL NUMBER OF MEMBERS ELECTED BY PUBLIC SCHOOL SUPPORTERS} \times \frac{\text{EQUALIZED RESIDENTIAL AND FARM ASSESSMENT OF THE PROPERTY RATEABLE FOR PUBLIC SCHOOL PURPOSES IN THE CITY}}{\text{EQUALIZED RESIDENTIAL AND FARM ASSESSMENT OF ALL THE PROPERTY FOR PUBLIC SCHOOL PURPOSES IN THE SCHOOL DIVISION}} \qquad [4]$$

If a city does not merit representation under formula [4], it is treated as a county or district municipality (section 59(8)).

To determine the number of members elected by the county or district municipalities, the following method is applied:

$$\text{NUMBER OF MEMBERS TO BE ELECTED BY THE COUNTY OR THE DISTRICT MUNICIPALITIES} =$$

$$\text{TOTAL NUMBER OF MEMBERS TO BE ELECTED BY PUBLIC SCHOOL SUPPORTERS} - \text{SUM TOTAL OF THE NUMBER OF MEMBERS TO BE ELECTED BY THE CITIES} \qquad [5]$$

A minimum of one county or district municipality member must be elected and if there are fewer than four area municipalities in the divisional board of a school division that comprises

a regional municipality, a minimum of two rural members must be elected from the area municipality (section 59(6)).

With appropriate modifications to the formula by substituting separate school supporters for public school electors, the same approach is used in determining the number of members representing separate school electors. This method is applied to each city, and county, or district municipality when more than one representative is to be elected in a school division which includes one or more counties or district municipalities (section 59(26)).

The municipalities to be represented by members elected by trustees for public school electors in county municipalities or district municipalities as determined in accordance with formula [5] are determined by the individuals indicated in table 4A.1.

Table 4A.1:

Types of School Divisions and Parties Responsible for School Board Determinations

FOR SCHOOL DIVISIONS CONSISTING OF	PERSON TO MAKE DETERMINATIONS FOR (1) TOTAL BOARD SIZE, (2) PUBLIC/SEPARATE DIVISION, (3) CITY/NON-CITY MUNICIPALITY DIVISION	RESPONSIBILITY TO DETERMINE COUNTY MUNICIPALITY OR DISTRICT REPRESENTATION
1 A county	Clerk of the county (59(20)(a))	Council of the county (59(9)(a))
2 (a) Regional municipality or	Clerk of the regional municipality (59(20)(b))	Clerks of the 3 county municipalities with the largest equalized residential & farm assessment for public school purposes (59(9)(b))
(b) A county and a part of a regional municipality	Clerk of the county (59(20)(a))	
3 District municipalities	Clerk of the organized district municipality with the greatest equalized residential and farm assessment for public school purposes	Clerks of the 3 organized district municipalities with the largest equalized residential and farm assessment for public

FOR SCHOOL DIVISIONS CONSISTING OF	PERSON TO MAKE DETERMINATIONS FOR (1) TOTAL BOARD SIZE, (2) PUBLIC/SEPARATE DIVISION, (3) CITY/NON-CITY MUNICIPALITY DIVISION	RESPONSIBILITY TO DETERMINE COUNTY MUNICIPALITY OR DISTRICT REPRESENTATION
	or, where there is no organized district municipality in the school division, the clerk of the city with the greatest residential and farm assessment for public school purposes. (59(20)(c))	school purposes (If less than 3, the clerks of all such municipalities) and the clerk of each town or village where there is a secondary school (59(9)(c))

The member(s) elected in county or district municipalities may not be elected at large (e.g., by combining all the county or district municipalities to elect two or more members) but must be elected from specified and defined areas. The members are to be apportioned as nearly as practicable in the following ratio:

$$\frac{\text{EQUALIZED RESIDENTIAL AND FARM ASSESSMENT FOR PUBLIC SCHOOL PURPOSES OF THE MUNICIPALITY(IES)}}{\text{THE TOTAL EQUALIZED RESIDENTIAL AND FARM ASSESSMENT FOR PUBLIC SCHOOL PURPOSES IN ALL THE COUNTY OR DISTRICT MUNICIPALITIES IN THE SCHOOL DIVISION}} \qquad [6]$$

When municipalities are combined, municipalities that adjoin are to be combined if practicable. The apportionment to combined municipalities is to be done as nearly as is practicable in the ratio of the equalized residential and farm assessment for property rateable for public school purposes of the combined area to the total equalized residential and farm assessment for property rateable for public school purposes in all the county or district municipalities in the school division (section 59(16)).

Where the number of trustees to be elected by public school electors to a municipality or a combination of municipalities, when expressed as a percentage of the total number of trustees to be elected by public school electors to all the county or district municipalities within the

school division, differs by more than five percentage points from the percentage that the equalized residential and farm assessment of the property rateable for public school purposes in the municipality or combination of municipalities is of the total equalized residential and farm assessment of the property rateable for public school purposes in all the county and district municipalities within the school division, the council of the municipality, or the council of any one of the combined municipalities, may appeal the determination to a judge. The judge's decision on the appeal is final (section 59(8)).

The allocation of the number of members to be elected by separate school electors from county and district municipalities (section 59(27)) and the process of combining, of allocating, and of adjusting that apply in the case of members to be elected by public school electors (section 59(18)) are determined in the same manner using appropriate modifications relative to school support.

If only one member is to be elected by separate school electors in a school division, or in a county, or district municipality, the member is elected by a general vote of the separate school supporters of the school division or municipality (section 59(29)).

Elections of members of a divisional board are conducted by the same officers and in the same manner as elections of members of the council of a municipality (section 59(32)).

B. BOARDS OF EDUCATION

A board of education, other than a divisional board of education, can be established in a secondary school district that is not a school division to be a secondary school board and a public school board for the district (section 60(1)(29)).

The trustees are elected at large on the same population-trustee ratio as in defined city boards:

Population	Number of Members	
Less than 10 000	6	
10 000 - 49 999	8	
50 000 - 99 999	10	
100 000 or more	12	(section 57(1))

The number of members elected by the separate school supporters is also the same; however, the minimums established are not fewer than two members, if the population is more than 50 000, and one member, if the population is less than 50 000 (section 61).

C. DISTRICT SCHOOL AREA BOARDS

District school area boards are public school boards that are established in parts of the territorial districts that are not included in a school division or designated as a school

section on tax exempt lands (section 62). As of January 1, 1985, there were 27 district school area boards in Ontario (Directory of School Boards, 1985, p. 17). A district school area board normally consists of three members (section 64(2)), but five members shall be elected if, in 1975, there were five members on the board of the school section which became a school district area (section 64(3)) or may be elected if a resolution is approved at a meeting of the public school electors of the district. This increase from three to five members by resolution does not apply to improvement districts (section 64(4)).

District school area boards may be elected either at a meeting of public school electors held on the second Monday of November in an election year (section 65) or in the same manner as for divisional boards except that all members must be elected at large (section 66). In order to choose the second option, the district shcool area board must pass a resolution which must be approved at a meeting of public school electors.

Where two or more district school areas are combined into one district school area by regulation by the Lieutenant-Governor in Council, regulations can also be made specifying the number of members to be elected, which areas they should represent, and when, where, and how they are to be elected (section 66(a)).

D. COUNTY AND DISTRICT COMBINED ROMAN CATHOLIC SEPARATE SCHOOL BOARDS

The number of trustees to be elected to county or district combined separate school boards is determined on the basis of total population in the area that comprises the county or district combined separate school zone. The determination is in accordance with the following table.

Population	Number of Members	
Less than 25 000	8	
25 000 - 44 999	10	
45 000 - 99 999	12	
100 000 - 199 999	14	
200 000 or more	16	(section 113(2))

The following formula based on equalized residential and farm assessment for separate school purposes is used to determine the number of representatives of each city.

NUMBER OF MEMBERS TO BE ELECTED BY EACH CITY =

$$\text{TOTAL NUMBER OF TRUSTEES TO BE ELECTED} \times \frac{\text{EQUALIZED RESIDENTIAL AND FARM ASSESSMENT OF THE PROPERTY RATEABLE FOR SEPARATE SCHOOL PURPOSES IN THE CITY}}{\text{EQUALIZED RESIDENTIAL AND FARM ASSESSMENT OF ALL PROPERTY RATEABLE FOR SEPARATE SCHOOL PURPOSES IN THE COUNTY OR DISTRICT COMBINED SEPARATE SCHOOL ZONE}} \qquad [7]$$

To determine the number of trustees for county or district municipalities, the total number of trustees to be elected from the city in formula [7] above is subtracted from the total number of trustees for the combined or separate school boards. A minimum of one trustee must be apportioned under this section (section 113(4)(b)) to the county and district municipalities.

The person responsible for making the determination of the number of members on the board and the division between the city and the county or district municipalities is:

(a) the clerk of the county municipality;
(b) the clerk of the organized district municipality; or
(c) the clerk of the city having the greatest equalized residential and farm assessment for separate school purposes in an area where there is no organized district municipality in the district combined separate school zone. (section 113(5))

The same principles used for such determinations for the divisional boards are used in respect of the county and district combined Roman Catholic separate school boards using equalized residential and farm assessment for separate school purposes:

1. A city which does not merit a representative is treated as a county or district municipality (section 113(7)).

2. The three clerks of the organized district municipalities with the largest equalized residential and farm assessment for separate school purposes in the county or district combined zone (if fewer than three, then all clerks of such municipalities) determine the county or district municipalities to be represented by the trustees. Except where only one member is to be elected from the county or district municipalities, the grouping of such municipalities must ensure that there is no election by general vote in all of the municipalities (section 113(8)).

3. Where the determination made by the clerks of the county or district municipalities under section 113(8), allots to a municipality or a combination of municipalities a percentage of the total number of trustees to be elected by the separate school electors of all the county or district municipalities in the combined separate school zone, that differs by more than five percentage points from the percentage that the equalized residential and farm assessment of the property rateable for separate school purposes in the part of such zone in the municipality or combination of municipalities is of the total equalized residential and farm assessment of the property rateable for separate school purposes in the whole of such zone, the council of the municipality or the council of any municipality of the combined municipalities may appeal the determination to a judge (section 113(14)).

4. Trustees to be elected in municipalities are to be elected by a general vote, unless there are two or more trustees to be elected, in which case the board can request the council of

the municipality to pass a by-law dividing the municipality into two or more areas (section 113(19)).

Special provisions are made for the Ottawa-Carleton Area. In section 116, the Ottawa Roman Catholic Separate School Board is established to consist of the cities of Vanier and Ottawa and the village of Rockcliffe Park, and is to function as a county combined separate school board. Sixteen trustees are to be elected, with Ottawa and Rockcliffe Park combined as one unit.

$$\text{NUMBER OF MEMBERS TO BE ELECTED BY OTTAWA AND ROCKCLIFFE PARK} = 16 \times \frac{\text{EQUALIZED RESIDENTIAL AND FARM ASSESSMENT OF THE PROPERTY RATEABLE FOR SEPARATE SCHOOL PURPOSES IN OTTAWA AND ROCKCLIFFE PARK}}{\text{EQUALIZED RESIDENTIAL AND FARM ASSESSMENT OF ALL THE PROPERTY RATEABLE FOR SEPARATE SCHOOL PURPOSES IN THE COMBINED SEPARATE SCHOOL ZONE}} \quad [8]$$

The number of members to be elected in Vanier is

$$16 - \text{THE NUMBER OF TRUSTEES TO BE ELECTED IN OTTAWA AND IN ROCKCLIFFE PARK} \quad [9]$$

At least one member must be elected in Vanier (section 116(4)). The trustees are to be elected by a general vote within each of the two areas.

The separate school zones in the remainder of the municipalities in the area comprising the Regional Municipality of Ottawa-Carleton are combined in a county combined separate school zone the board for which is called The Carleton Roman Catholic Separate School Board. Trustees elected to this board are determined in accordance with the provisions relative to other county or district combined Roman Catholic separate school boards (section 117).

The City of Windsor is not included in the County of Essex for county combined separate school board purposes (section 118), meaning that there is a separate school board for the city alone.

E. ROMAN CATHOLIC SEPARATE SCHOOL BOARDS

1. Urban Roman Catholic Separate School Boards:

Urban separate school boards may be formed in areas not within a county or district combined Roman Catholic separate school zone.

The number of trustees to be elected to an urban separate school board is based on the population of the community:

Population	Number of Members
Less than 10 000	6
10 000 - 49 999	8
50 000 - 99 999	10
100 000 or more	12 (section 90(2))

Trustees are elected by a general vote of separate school supporters (section 90(1)) or in a municipality which is divided into wards - two trustees per ward, or if more than five wards, one trustee for each (section 91). The method of election, having been in place for two terms, may be changed if the resolution by the board for such a change has been voted in the affirmative by the separate school electors of the urban municipality (section 92(1)(3)). Every person eligible to be a separate school elector in an urban municipality may vote at the election (section 93(2)) and supporters of the separate school in an urban municipality who live outside that municipality can vote in the closest ward or polling station to their residence in which there is a separate school (section 96).

2. Rural Roman Catholic Separate School Boards:

Rural separate school boards may be formed in the territorial districts that are not part of a district combined Roman Catholic separate school zone.

Boards for rural separate school zones consist of three elected trustees (section 97(1)) and the elections are held at a meeting of the separate school supporters on the second Monday of an election year at a time and place selected by the board (section 100(2)). A poll may be demanded by two supporters of the school at the meetings for election of trustees (section 100(7)), and each voter is entitled to as many votes as there are trustees to be elected but may not vote more than once for any one candidate (section 100(10(a)).

Where the centre of a rural separate school board zone is in a municipality, the board may pass a resolution, which must be approved at a meeting of supporters, that the election of trustees to the board be conducted under the Municipal Elections Act. In this case, trustees are elected by a general vote of separate school electors of the separate school zone (section 101).

3. Combined Roman Catholic Separate School Boards:

Combined Roman Catholic separate school boards may be formed in areas not within a county or district combined Roman Catholic separate school zone.

If a combined separate school board includes one or more urban municipalities, the board is deemed an urban combined separate school zone. The regulations that apply to urban separate schools take effect. Two options exist for determining the number of trustees:

(a) the number of trustees may be based on the population of the largest municipality in the union (section 103(4)); or

(b) five to nine trustees (the number passed by a resolution of the board) representing various municipalities, parts of municipalities, or separate school zones in territories without municipal organization may be elected.

These trustees are elected at large within the areas they represent; and in any municipality divided into wards, a resolution may be passed for representation by wards (section 103(5)(6)). The returning officer in the case where one or more trustees represent two or more areas is from the area having the greatest equalized residential and farm assessment for separate school purposes (section 103(7)).

There are 8 rural Roman Catholic separate school boards in the province, all in Northern Ontario and two combined separate school boards, one in Northern Ontario and one in Southern Ontario. Both combined separate school boards are rural combined boards.

F. PROTESTANT SEPARATE SCHOOL BOARDS

Protestant separate schools may be established in areas where the public school(s) in the municipality have Roman Catholic teachers (section 137(3)). Trustees of a Protestant separate school board are elected in the same way as trustees of a Roman Catholic separate school board if such were to be established in the same municipality (section 144(2)). On January 2, 1985, there were two Protestant separate school boards in Ontario, one in Douglas and one in Penetanguishene (Directory of School Boards, 1985, p. 14).

G. BOARDS ON TAX-EXEMPT LAND

The Minister may decide to establish a public school section (section 70(1)) or a secondary school district (section 70(2)) on land held by Ontario, Canada, their agencies, or lands exempt from taxation for school purposes. The school boards formed for such sections or districts have jurisdiction in Department of National Defense areas, Ontario Hydro Centres, and in other areas not normally assessed for school purposes. In 1985, there were 11 such boards on Canadian Forces Bases and Stations, seven of which operate schools. Eight such boards operated schools in Hospitals and Treatment Centres. Ontario Hydro Centre has one board which does not operate a school (Directory of School Boards, 1985, pp. 15-6). The composition of the board in terms of numbers and persons to be appointed is at Ministerial discretion.

5. QUEBEC SCHOOL BOARDS AND THE PROBLEMS OF REFORM

- Donald A. Burgess

Quebec, of course, is different. Whereas the other provinces have more or less dominant Anglophone cultures with strong Protestant influences, Quebec has a culture shaped predominantly by French and Roman Catholic influences (Mair 1981, p. 85). In Quebec it is the English-speaking community that is in the minority. It should not be surprising, therefore, that Quebec has developed institutions that differ considerably from those found elsewhere in Canada. Nowhere is this more true than in the field of education.

Visitors to the province, and especially those from south of the border, are amazed and sometimes shocked to find that the public education system is organized along denominational lines at the elementary and secondary levels. What they thought at first was a system divided into French and English institutions turns out, in reality, to be a system designed for Roman Catholics and Protestants. This state of affairs has its roots in the period before Confederation when the population of the province was almost entirely made up of French-speaking Roman Catholics and English-speaking Protestants. The determination of both groups not to be assimilated into the other's language, religion, and culture, led to the emergence of a system that appeared to suit the Quebec population for over a century. As a result, Quebec enjoyed "a singular absence of sectarian rancour and prolonged litigation over denominational school problems such as caused considerable ill-feeling in Manitoba, Saskatchewan, and Ontario" (Weir 1934, p. 186).

Quebec modernized much of its educational system during the period in the early 1960s known as the Quiet Revolution, but the basic structure of its school boards remains essentially the same as those devised in the 1840s, and subsequently protected by the British North America Act of 1867. In spite of increased pluralism in Quebec, and the presence of significant numbers of Jews, Greek Orthodox, other religious groups, and of those not professing any religion at all, its schools and school boards remain officially confessional. Many attempts have been made over the past 25 years to change this state of affairs and to add a non-confessional or neutral sector but, for various reasons, this has not been achieved.

In the past, it was the Church that was the dominant influence in Quebec's education system, and it was primarily through its control of the schools and of the education system as a whole that the Church was able to protect the French language and culture. The Church lost this dominant position with the advent of a Ministry of Education in 1964. Today, it is the State that has assumed this role; and through various pieces of language legislation, it has acted both to protect and to promote the French language in Quebec. But it is in the schools that this linguistic policy is applied primarily. The education system, then, is at the very centre of Quebec's social and cultural aspirations and with often profound implications for minority and special interest groups. That is why proposals for educational reform in Quebec, whether structural or pedagogical, almost always lead to lively and sometimes emotional debate.

The problem of school board reform in Quebec is essentially a political problem. This is so, because of two major elements. The first is that school board reform in Quebec is primarily concerned with changing the basic structures and, unlike pedagogical reform that tends to be incremental, structural reform is radical and is brought about by the political process. The second element is that the two major agencies concerned, the government and the boards, are themselves political institutions by virtue of the fact that they are elected bodies and receive a mandate from the people. For these reasons, and in spite of the fact that it is presented chronologically, the material that follows is written essentially from a political perspective. For the sake of convenience, it is divided into four parts. Part 1 first outlines the attempts that were made to establish a unified and "common" school system in Quebec, and then describes the eventual establishment of a system based on confessionality. Part 2 deals with the development of two distinct systems, one for Roman Catholics, the other for Protestants, the lack of involvement of the State, and the problems that were beginning to emerge because of the structures. Part 3 covers the period in the 1960s known as the Quiet Revolution, when numerous changes were introduced into the system but when an affort to reform the basic structures met with failure. Part 4 outlines the changes that have been made to the system in the last 20 years, describes the various attempts that have been made to change the structures, and explains why none have been successful.

PRIOR TO 1867-THE ESTABLISHMENT OF A SYSTEM

Prior to 1824, school legislation in Lower Canada (Quebec) concerned itself with attempts to set up a centralized school system, common to all, and with a unified administration. In 1778, for example, Chief Justice William Smith, a Presbyterian and a Loyalist from neighbouring New York State, proposed a free public school in each parish, a secondary school in each county, and a university in Quebec City from which the teaching of theology would be excluded. This progressive and essentially secular proposal came to nought in the face of opposition from the Roman Catholic and Anglican churches, both of which were then opposed to the notion of education as a civic and secular enterprise.

The Education Act of 1801 was the first school legislation passed in Lower Canada and, as such, "it constituted a daring attempt to organize a public education system under the aegis of the state" (Audet 1970a, p. 153). It established the Royal Institution for the Advancement of Learning which, in Audet's opinion, may be considered as Quebec's first "true ministry of public education". Although it now appears that this Act could have been used advantageously by both Roman Catholic and Protestant groups, it was in fact used primarily by the English Protestants who established a number of "Royal Schools" in the villages and two "Grammar Schools" in Quebec and Montreal. The Roman Catholic clergy, however, "seeing in this a threat of assimilation and an attempt to change the faith of their people, opposed the Royal Institution almost unanimously" (Parent Report 1963, p. 5). This Act, although a failure in terms of establishing a system of education for all, was important in that it created a precedent for "the then revolutionary idea of public education under state auspices, which served the lower province well in its successful drive to build a full-fledged public school system in the 1840s" (Magnuson 1980, p. 21).

Because of these failures to establish a centrally administered system, from 1824 onwards school legislation was conceived in a new spirit. The government of the day now sought to use, or to create, local bodies rather than central ones, to which would be given the responsibility for building, maintaining, and managing schools. The first such attempt was the Fabrique Act of 1824 which authorized the _fabriques_ (Roman Catholic parish corporations or vestries) to devote a quarter of their budgets to the foundation and maintenance of one or several schools in each parish. By thus investing them with powers in the educational field, the House of Assembly established the first local agency with official authority over schools. The Act granted these local bodies the fullest autonomy. Yet it yielded few results. "Because of popular apathy and the insufficient revenues of some of the fabriques, as well as the absence of government aid, 'Fabrique schools' were never numerous" (Parent Report 1963, p. 5). This Act was also significant in that in response to the "Royal Schools" that were predominantly for English Protestants, it established a strictly denominational system to serve only Roman Catholics.

As the _fabriques_ were either unable, or unwilling, to provide an adequate school system for the Roman Catholic population, the Assembly in 1829 passed the _Loi des Ecoles de Syndics_. This time, and in spite of clerical disapproval, the law was a resounding success. By 1834 there were over 1500 schools in the colony. The law provided that in each parish or township a board of trustees (_syndics_) composed of five members be elected by, and from among, the freeholders to provide "the sole direction, control, management, and administration of the Schools established by virtue of this Act". This, then, was the forerunner of the local school board system. The Act was successful primarily because it established a system of state subsidies: up to £50 for the purchase or building of a school and the annual salary of schoolmasters and schoolmistresses to the amount of £20. An annual grant of 10 shillings was also paid for each poor child, thus enabling many _habitants_ to send their children to school for the first time. The House of Assembly retained direct control of the system by requiring all schools which benefited from the Act to submit an annual report, certified by the local Member of the Assembly.

Although contemporaries were almost certainly unaware of it at the time, three important principles were slowly emerging during this period (Audet 1970a). The first was that the State had a duty to intervene in education. The second was the progressive decentralization to locally elected bodies in the administration of schools. The third was the willingness of the State to permit and even to encourage a diversified school system with a variety of coexisting institutions. "Consequently, when the crisis of 1837 began, there were schools of the Royal Institution, fabrique schools, trustee (or Assembly) schools, schools dependent on private generosity, and schools of religious orders" (Parent Report 1963, p. 7).

After the crisis was over and when Lower Canada entered Union as Canada East in 1841 it had been without the legal framework of a school system for the previous five years. In the absence of a system of subsidies from the House of Assembly, most of the schools had withered away as quickly as they had grown. After a series of false starts, during which it was gradually realized that political union could not conceal the major cultural differences that existed in the two Canadas and that school laws suitable for Canada West were not always appropriate in Canada East, and vice versa, Canada East was given a school law of its own in 1845. When this law, too, proved inoperable, a revision of the 1845 law was passed in 1846. It was this 1846 law that provided the fundamental basis on which all succeeding educational law in Quebec was to be built. Furthermore, it was essentially this law and the structures and rights which it established that were enshrined in the British North America Act of 1867. Many of its distinct features, particularly those concerning denominational school boards and the rights of Roman Catholics and Protestants, remain in place today.

As the major features of this 1846 law were to influence the school system in Quebec for a period of over a century, and as many of its effects continue to be felt, perhaps it will be useful to outline its basic provisions. Except in Quebec City and Montreal, a system of "common" schools was established that were to be owned, managed, and operated by locally elected school commissioners. School board corporations, deliberately distinct from municipal or district councils, were authorized to take over any school already erected by virtue of a public instruction act, to build new ones, to maintain them, to engage teachers, to regulate the courses of study, to levy real estate taxes, and to collect a monthly fee for every child of school age (Parent Report 1963, p. 10). The property owners of each school board corporation were called upon to elect five school commissioners for a term of three years, from among those possessing property worth at least £250. The schools administered by these commissioners were legally "common" schools and thus technically open to all, but because Roman Catholics and Protestants tended to live in separate communities, it came about, de facto if not de jure, that common schools in Roman Catholic areas became "Catholic", and those in Protestant areas became "Protestant". There were, however, two major exceptions to this system of "common" schools.

The first concerned the right of dissent. This right stated that "in any school municipality, any number of property owners, tenants, or ratepayers professing a religious belief different from that of the majority" may give notice "of their intention to withdraw from the control of the school commissioners in order to form a separate corporation under the administration of school trustees" (Compilation of Statutes 1966, p. 52). In practice, this right was restricted to Roman Catholics and to Protestants, so that in Roman Catholic areas the dissentient schools were Protestant and in Protestant areas the dissentient schools were Roman Catholic. The dissentient schools, therefore, were not common but strictly denominational; and admission could be restricted to those of the same denomination. The trustees (or syndics) of the dissentient schools, Roman Catholic or Protestant, enjoyed exactly the same powers and responsibilities as the school commissioners, but only the dissentient trustees had the right to levy taxes upon the dissentient inhabitants. In any area where dissentient schools had been established "no person may be a school commissioner if he forms part of the dissentient minority, and no person may be a school trustee if he forms part of the majority" (Compilation of Statutes 1966, p. 59). The number of elected commissioners for common school boards was fixed at five, whereas the number of elected trustees in dissentient boards was fixed at three. The dissentient schools, unlike the common schools, were denominational both de facto and de jure.

The second exception was to be found in the City of Montreal and in the City of Quebec. Here, because there were already substantial numbers of both Roman Catholic and Protestant inhabitants, the school boards were organized somewhat differently. In each of the two cities, "common" schools were established that, right from the beginning, were to be managed by separate groups of commissioners divided along denominational lines. Thus, a Protestant Board of Commissioners and a Roman Catholic Board of Commissioners was established in each city. The boards were therefore legally denominational and, although the schools that they administered were "common", in that theoretically they were open to all, they were denominational both de facto and de jure, except that the commissioners were required to admit all children from all parts of the city, regardless of religion. Another difference between the two larger cities and the surrounding rural areas, was that commissioners in Montreal and Quebec were appointed by the municipal councils rather than elected. The 1846 Act required the municipal councils to appoint 12 commissioners, of whom six would be Roman Catholic and six Protestant, in order to constitute two separate and distinct corporations.

Legislation in the 1840s, then, attempted to establish a common school system which, at the same time, would permit dissidence at the local level. This was not entirely successful because, in fact if not in law, all the schools, including those that were legally common, quickly assumed a denominational or, more accurately, a confessional character. The system did, however, enable Protestants and Roman Catholics to live together without rancour, which, in itself, was a considerable achievement. But confessional differences continued to be emphasized in the period leading up to Confederation.

The Law of 1846, like those before it, had many critics. The Roman Catholic Church complained that the law prevented priests from serving as school commissioners because the commissioners were required to be property owners. This was remedied when the Act of 1849 permitted the election of clergy to either common or dissentient school boards. The Roman Catholic bishops then officially endorsed the legislation. But all was not well in the application of the law. Many habitants objected mightily to the law, claiming that it was "a thinly veiled device for raising taxes and keeping the people in line" (Audet 1970b, p. 175) and consequently they refused to pay taxes or send their children to school. In some extreme cases, the schoolhouses were burned down in protest, leading to what is known as the guerre des éteignoirs or the "war of the candle-snuffers". There were also problems at the local level concerning the competence of school commissioners. Only about half of them could read or write and many were elected to office simply because they promised to keep the taxes low. Needless to say, the quality of education in many rural areas left much to be desired.

The locally elected school commission enjoyed considerable administrative and educational autonomy. Until the creation of the Council of Public Instruction in 1859, the local school commission was almost entirely free in its choice of curricula, textbooks, and teaching materials. It was given a free hand in constructing and equipping school buildings. It always selected and paid its own teachers, although salaries were kept as low as possible and, in the Roman Catholic schools at least, many teachers were provided at even lower costs by the various religious orders. "For a long time, the school commission was almost exclusively responsible to the local population in the exercise of its rights and in the fulfilment of its duties" (Parent Report 1966a, p. 138). It can be argued that, whatever may have been its weaknesses, this decentralized system was especially well suited to preindustrial society in Quebec during the first half of the 19th century. It made allowances for the isolation of local communities, the slow means of transportation then available, the difficulties that resulted from a long hard winter, and the low density of a population dispersed over a vast territory. Whereas a regionally or provincially managed school system might have worked effectively in the cities or in the more densely populated areas, it is doubtful that such a system could have worked in the rural areas where the majority then lived and where distrust of central authority, especially civic authority, was always close to the surface.

In the period leading up to Confederation in 1867, and in spite of the evident weaknesses in the system of schools then established, nothing was done to fundamentally change the basic structures. School inspectors were appointed in 1852; three denominational Normal Schools (two for Roman Catholics and one for Protestants) for the training of teachers were opened in 1857; and a Council of Public Instruction, composed of 11 Catholics and 4 Protestants, was appointed in 1859. All of these measures were designed to remedy blatant weaknesses in the system or to improve the quality of instruction. But the basic school board structures, the way in which commissioners or trustees were elected, the right of school corporations to levy taxes, and the right to dissent, all remained the same.

The approach of Confederation threw the minority English Protestants in Quebec into something close to panic. Since the Act of Union in 1840 they had always been able to form an alliance with the Protestants in Upper Canada which gave them a majority voice in the legislature. But in a separate province they would form a definite numerical minority; and, under the political handicap this entailed, who could be sure that their institutions and identity would be respected (Mair 1981)? The Roman Catholic majority, of course, had no such problem. If education was to become an exclusive provincial responsibility, then the majority could presumably pass whatever educational laws it wished.

After intense lobbying by concerned Protestant groups and the direct intervention of the Honourable A. T. Galt, M.P. for Sherbrooke, section 93 of the British North America Act, which granted exclusive jurisdiction in the field of education to the provinces, modified that right by adding that "nothing in any such law shall prejudicially affect any Right or Privilege with respect to Denominational Schools which any Class of Persons have by law in the Province at the Union." In addition, the same rights that applied to the Roman Catholic separate schools in

Upper Canada were extended to the dissentient schools in Quebec; the religious minorities were granted the right of appeal to the Federal Government against "any Act or decision of any Provincial Authority affecting any Right or Privilege" that they possessed in law at the Union; and the Parliament of Canada was granted the authority to make remedial laws in certain circumstances.

In Quebec, this meant, in effect, that the rights and privileges granted to Protestants and Roman Catholics in the School Act of 1846 and subsequently encoded in the Revised Statutes of 1861, were constitutionally protected. These rights are usually understood to include, inter alia, the right of both Roman Catholics and Protestants to administer confessional school boards in the City of Montreal and in the City of Quebec; the right of religious minorities to establish and administer Roman Catholic or Protestant dissentient boards outside of Montreal and Quebec; the right to raise taxes, to appoint and pay teachers, and to "regulate" the courses of study. As will be seen later, many of these rights and privileges are currently being contested in the courts.

1867-1964 - THE CONSOLIDATION OF A DUAL CONFESSION SYSTEM

In the period 1867-1964, frequent legislation resulted in modifying and improving the school system, but without changing its basic pattern. Immediately after Confederation, the post of Superintendent of Education was for a few years transformed into that of Minister of Public Instruction, but this portfolio was abolished in 1875 and was not to re-emerge until the reforms of the Quiet Revolution in 1964.

The absence of a strong, central, political authority in Quebec education during this period is, perhaps, one of its chief characteristics and stands in marked contrast to developments elsewhere in Canada. Ontario, for example, created a Ministry of Education in 1876, only one year after Quebec decided to abolish such a Ministry. Another more obvious contrast was that, whereas in other provinces steps were being taken, not always happily, to secularize the provincial school system, in Quebec the movement was in the opposite direction. The net result of these two developments was that, with the exception of curriculum control, local school boards continued to be important and virtually autonomous bodies in what had become an extremely decentralized system. As Quebec once again was demonstrating that it was different, a few words of explanation are in order.

The creation, albeit briefly, of a Ministry of Public Instruction immediately after Confederation, was cause for considerable concern in Roman Catholic circles. Ultramontane principles had been growing in strength both in Europe and in Quebec, and many Roman Catholic authorities publicly registered the fear that schools would quickly imbibe secular influences unless they were under tighter control of the Church. Bishops, not civilian governments, they said, possessed the responsibility for the education of children of Roman Catholic parents. The benefit and appropriateness of a Ministry of Education, which could too easily mix education and politics, was being questioned (Mair 1981, p. 35). At the same time, English

Protestants in Quebec, and in spite of the BNA Act, were still somewhat fearful that a Roman Catholic majority in the province could eventually subvert "their" system. As a result, the English Protestants demanded more autonomy and control of "their" sector. Both groups, but for different reasons, were equally alarmed when New Brunswick Roman Catholics failed to win the support of either the Privy Council or the Parliament of Canada in their appeal of an act which secularized the schools in that province in 1871. Both groups, again for different reasons, supported the notion of separate confessional school systems divorced from the authority of the State.

Between 1867 and 1875, two Acts were passed that further entrenched the division that existed between the two confessional groups. The 1869 Act divided the Council of Public Instruction into two distinct committees: a Roman Catholic Committee with 14 members and a Protestant Committee with 7 members, and they were allowed to meet separately to deal with their different interests. This still did not permit Protestants the complete autonomy which some had demanded, but it took large strides in that direction (Mair 1981, p. 34). Then, in 1875, in the face of pressure from the bishops, the government first abolished the Ministry of Public Instruction and then reorganized membership of the Council of Public Instruction so as to include ex officio all the Roman Catholic bishops who had all or part of their dioceses in Quebec, thus including both Quebec-based bishops and the Bishops of Ottawa (Ontario) and Edmundston (New Brunswick). (At the time of its dissolution in 1964, the Roman Catholic Committee had 44 members, of whom 22 were bishops and 22 were lay people; the Protestant Committee had 22 members.)

The legislation of 1875 thus made possible in law what had become evident in fact: that henceforth Roman Catholic and Protestant systems of education would go their separate ways. The effect of the Act was to place the authority for public education not with a duly elected government but with the Council of Public Instruction, and more particularly with its two confessional committees. Because these committees made decisions separately, two almost completely autonomous systems of education, quite different from each other, came into being. "The erection of two citadels, each replete with protective buttresses, seemed to the majority of citizens to be the most adequate answer available to the tensions and needs of society of their time. The act, as it turned out, settled the matter of educational authority in Quebec for ninety years" (Mair 1981, p. 38).

It is perhaps unnecessary to elaborate in detail the evolution and development of Quebec's dual confessional system of public education prior to the 1960s; it has been well documented. There were, however, certain characteristics and certain developments that were to have implications for school boards in the future. These are summarized below.

Prior to 1961, the Education Act (Loi de l'instruction publique) required that school boards provide education only at the elementary level. Secondary education in the French-Catholic sector was either virtually non-existent or else furnished by Church-dominated classical colleges in the private sector. The Protestants, however, developed secondary schools within the public sector. This meant that, whereas the majority of Protestant boards provided education at both elementary and secondary levels, the vast majority of Roman Catholic boards administered only elementary schools. Although public secondary education for all was instituted in the 1960s, it is interesting to note that, in the Roman Catholic sector in general and particularly in the more rural areas, elementary and secondary schools tend to be administered by different school boards. Several attempts have been made to change this state of affairs but, to date, without much success.

Another characteristic feature of Quebec's educational system and one that has proved to be somewhat intractable over the years, has been the problem of how to deal fairly with religious and other minorities. When the dual confessional system was devised in the mid-19th century, almost the whole population could be classified as French Roman Catholic or English Protestant. But this situation was very soon to change: first with the arrival of English-speaking Roman Catholics from Ireland, and then with successive waves of Jewish immigrants from Central Europe. Both groups came face to face with a system that was designed primarily for others. The English-speaking Roman Catholics had a hard and long struggle to find an appropriate place for themselves within a French-dominated Roman Catholic system. They eventually won the right to send their children to English Roman Catholic schools, albeit administered by French Roman Catholic boards, but they were never granted English Roman Catholic school boards in their own right. (The same observation applied equally to French-speaking Protestants.)

The Jews meanwhile were faced with even greater problems. "As non-Christians before a Christian school system, their attempt to find educational relief precipitated a host of financial and legal problems of such complexity as eventually to require the intervention of the highest court of the land. At the same time, the Jewish educational challenge served to expose a flawed public school system that was more private than public, more restrictive than open, and unbefitting an increasingly pluralistic society" (Magnuson 1980, p. 84). Not without difficulty, Jewish children eventually found accommodation within the English Protestant sector, but the major problem was Jewish representation on the Protestant School Board of Montreal, to which they paid taxes. A law of the Quebec legislature passed in 1903 had declared that, for educational purposes, members of the Jewish faith would be treated as Protestants, but evidently this did not extend to them sitting as commissioners. Attempts to have the government or the City of Montreal nominate a Jewish member to the board all failed on the grounds that this would be unconstitutional. Eventually, a test case (Hirsch et al. vs. the Protestant School Board of Montreal) was placed before the Court of King's Bench in 1925. The court created an educational and legal nightmare when it declared the Quebec law of 1903, in which Jews were classified as Protestants for educational purposes, to be ultra vires and therefore unconstitutional. The case was then forwarded first to the Supreme Court of Canada and eventually to the Privy Council in London. In 1928, the findings of the Privy Council upheld the rulings of the lower courts in deciding that Jews could not in law be classified as Protestants for educational purposes. The court pointed out that Jewish children had the right to attend either Protestant or Roman Catholic schools in Montreal and Quebec City because the schools established there were de jure common schools, but Jews could not sit as commissioners on these school boards because the school boards themselves were confessional and protected as such in the constitution. The Privy Council also made the following observation:

> The contention of the appellants (Hirsch et al.) that the word "protestant" in the statutes must be interpreted as meaning non-Roman Catholic and so as including Jews is declared to be quite untenable, and it is further held that the Protestant community, although divided for some purposes into different denominations, is itself a denomination, and capable of being regarded as a "class of persons" within the meaning of section 93 of the Act of 1867.

This Privy Council interpretation was to have important consequences both for the Jewish community itself and for subsequent governments in Quebec, as they struggled with problems of school board reform in the years to come. In fact, the problem of representation on confessional school boards has been raised again quite recently with the passage of Bill 29 in June 1985 (see below).

Although the Privy Council judgement was a blow to the Jewish community's aspiration, it did indicate that there was nothing in constitutional law to prevent Jews from establishing their own public school system in the cities of Montreal and Quebec. In 1930, therefore, the provincial legislature passed a law permitting such a school board in Montreal. The Jewish community, however, was fearful that such a development might lead to an educational ghetto. Under some pressure from the government and from certain elements within their own community, they agreed instead to enter into ententes with the Protestant Board of Montreal and the Dissentient Protestant Board of Outremont, whereby they would enjoy the same privileges as Protestants except for that of representation on the boards. Representation on the Protestant School Board of Greater Montreal (PSBGM), by means of five guaranteed seats, was eventually won in 1965, but recent developments have once again put their status in jeopardy. As has succinctly been pointed out: "Protestants learned from the controversy with the Jews of Montreal that they could not simply define their school system as non-Roman Catholic, as some had wished to do" (Mair 1981, p. 109).

As previously mentioned, a characteristic feature of the school board system in Quebec was its extreme decentralization. One of the more serious consequences of this was the multiplication of very small school commissions, many of them responsible for just one school - the so-called école de rang. As a result, in 1948 for example, there were almost 2000 school commissions in the province. Many of these small school commissions did not have the necessary number of children to set up good schools or even to engage qualified teachers. Consequently, the quality of education, especially in the rural areas, was often very poor. Whereas the two confessional committees had been successful in establishing centralized curricula on all the schools in the public sectors, their involvement was strictly pedagogical and they did not encroach on the well-entrenched system of local control of administration and finance.

At the beginning of the 20th century, at first among the Protestants, a movement to consolidate schools and school commissions gained some momentum. This movement was always stronger among the Protestants for two major reasons. First of all, their numbers were considerably fewer than the Roman Catholics and they were widely dispersed over the territory of the province. Secondly, the Protestant sector had decided to provide secondary education in the public schools rather than leaving this to the private sector as the Roman Catholics had done. An important step was the creation in 1925, on the Island of Montreal, of a central school board comprising 11 local Protestant school boards. This body became the PSBGM in 1951. In other areas, some nine county central school boards were eventually formed in the Protestant sector. In spite of this, when the Royal Commission began its work in 1961, there were still reported to be some 272 Protestant school boards in the province.

Because of the larger number of students in the Roman Catholic sector and also because the vast majority of Roman Catholic school commissions did not offer secondary education, the necessity for consolidation in that sector was not so keenly felt. In Montreal, however, as the city progressively spread into the neighbouring countryside, some consolidation of local commissions did occur. Between 1917 and 1928, some 40 school commissions located within the city limits of Montreal were successively absorbed by the Commission des écoles catholiques de Montréal (CECM). But outside of Montreal, no central commission incorporating the activities of several local commissions, had ever been set up in the Roman Catholic sector. As a result, in 1961 there were still reported to be as many as 1516 school commissions in the Roman Catholic sector (Parent Report 1966a, p. 141).

On the eve of the Quiet Revolution, then, school boards in Quebec retained essentially the same structure as had been devised in the 1840s. Except in Montreal and Quebec where the school commissioners were appointed, commissioners and trustees were elected (traditionally, on the second Monday in June), by and from among those who owned property and subsequently paid school taxes. Members of the clergy were also eligible to be elected but "keepers of inns, hotels, taverns, restaurants, cabarets or cafes that sold alcoholic beverages" were excluded (Compilation of Statutes 1966, p. 59). Women property owners were not permitted to vote or to sit as school commissioners or trustees until 1942. One further requirement, specified in the law, was that school commissioners and trustees be able to read and write.

THE QUIET REVOLUTION

The weaknesses of Quebec's educational system prior to the Quiet Revolution are well known and have been described extensively elsewhere (see, for example, the Parent Report, 5 vols. 1963-66). Among them, of course, was the minimal involvement of the State and the lack of access to secondary and higher education in the Roman Catholic sector. But within the space of a few short years, in the 1960s, the State acted to remedy many of the deficiencies and a modern educational system was put quickly into place. A powerful and unified Ministry of Education was established in 1964 and it took over much of the authority previously exercised by the Council of Public Instruction and its two Confessional Committees. Many of the reforms of this period emanated directly from the recommendations of the Parent Report, but the reform of school boards per se began before the recommendations of the Report were made known and, subsequently, took a direction somewhat different from that intended.

Following the election victory of the Liberal Party led by Jean Lesage in June 1960, the government passed a series of 11 laws which are known collectively as la grande charte de l'éducation. Included among the changes were the following: the school leaving age was raised to 15 years; the payment of school fees was abolished; the Education Act was modified in order to permit parents of children under 18 years and also the spouses of property owners to vote in school board elections; and school boards were required to provide secondary-level education, up to and including Grade 11, for all children within their jurisdictions. A specific requirement was that if school boards were not able to provide this education themselves, and it will be recalled that the vast majority of Roman Catholic boards was offering only elementary education at this time, then the school board was obliged to pay up to $200 per annum in tuition fees so that a child could attend a private secondary institution. It was this latter law that led indirectly to the formation of yet another type of school board structure in Quebec: namely, the regional school board.

In the rural areas, few school boards had enough children to even contemplate providing secondary education themselves. Furthermore, until the Law of 1961 was passed, it was not legally required that school boards provide secondary education. As a result, only 18 per cent of all children enrolled in Roman Catholic school boards were completing high school. Clearly, this situation could not be permitted to continue. An experimental program of regionalization had been tried in Chambly County in 1958, in which a number of local elementary Roman Catholic school commissions had voluntarily pooled their resources in order to provide a secondary school. It was upon this experiment that L'Opération 55 was based.

L'Opération 55 was launched by the newly instituted Ministry of Education in 1964 and involved the creation, on a voluntary basis, of 55 regional school boards under Roman Catholic direction across the province. Later, nine regional boards under Protestant direction were added, for a total of 64 regional boards. Perhaps because of the traditional autonomy of local school boards in Quebec and also because the Ministry was then awaiting recommendations from the Royal Commission of Inquiry, the government did not pass a law requiring compliance. Instead, Ministry officials worked with local school commissions to persuade them to amalgamate their resources for the purposes of providing both secondary education and various forms of special education. Because of the multiplicity of small local boards, the majority was unable to offer any services in these areas. However, pending the publication of the final volumes of the Parent Report, it was also decided that the local school commissions would continue to exist in their then current structures; that they would continue to administer the local elementary schools; and that they would continue to be the bodies responsible for levying local school taxes. Moreover, the commissioners of the new regional boards would not be directly elected as such, but nominated in an annual delegates' meeting by the constituent local school commissioners to whom they were responsible.

Although these somewhat ad hoc arrangements were effective in enabling comprehensive (or polyvalent) secondary school facilities to become quickly established on a regional basis throughout the province, and, while respecting the tradition of local authority and control, they also succeeded in adding yet another dimension to the already complicated school board system in Quebec. This was that, outside the larger cities, elementary and secondary schools in the same geographical area were administered by different school boards. Finally, it was the elementary boards, through their powers of local taxation, that provided a portion of the funding to the regional boards. Thus it was the local boards that continued to "call the shots."

This was the situation, then, in the period 1965-1966, when members of the Royal Commission turned their attention to the problems of confessionality, finance, and school board reorganization. The majority of their recommendations in the first two volumes had been accepted in principle and were in process of being implemented by the Lesage government. The problems that remained, however, were to prove somewhat more difficult to resolve. After a lengthy discussion of the problems arising from what many described as an archaic school board system, the Parent Report recommended the following:

> The foregoing considerations have led to the conclusion that a major reform is needed in the present system of school commissions.... It is, therefore, necessary to reduce the number and increase the size of school commissions. This principle granted, a system of individual school commissions, based on the kind of education dispensed, whether in terms of religion or language, is not advisable, since it would result in too great fragmentation.... This assumes that the present local school commissions should be induced to hand over their administrative, educational, and financial powers to larger administrative units; it also assumes that a single school commission, covering a territory at least as extensive as that of a regional commission, should be responsible for all education, whether it be Roman Catholic, Protestant, or non-confessional, French or English (Parent Report 1966a, pp. 146-7).

The Report also recommended a new method for electing school board commissioners. It was proposed that each school should have a parent-dominated school committee elected by parents of children attending that school. Delegates from each school committee in the territory of a given school board would then elect the commissioners. The Parent Report justified this new proposal in the following terms:

> Because of the meagre interest (that) elections have aroused in the past, and the expenditure that universal voting would entail, it seems to us that the simplest and most effective method is for all the school committees located in the territory of a regional commission to form an electoral college, charged with electing the commissioners.... Undoubtedly, this method has the drawback of granting the right to vote in school elections only to a limited group in the community. However, this solution can be justified by several considerations. First, it grants the right to vote to parents, the people most directly concerned with

> education; secondly, it avoids the need of the top-heavy and often uselessly expensive organization of elections by the population at large; finally, there is reason to hope that it will arouse greater interest in school elections (Parent Report 1966a, p. 154).

The Royal Commissioners had proposed the abolition of two institutions that had been traditional in Quebec for over a century. First, they proposed to abolish school board elections which, no doubt, would quickly lead to taxation without representation, a notion about which the French had never been too enthusiastic. Second, they also proposed to abolish all confessional school boards in Quebec and recommended that they be replaced by a unified, neutral, regional board in each area that would administer both confessional (Roman Catholic and Protestant) and non-confessional (neutral) schools. Even in a Quebec that was determined to modernize itself and was becoming somewhat used to reform, this was radical stuff indeed! To some, the pace of reform was much too rapid; to others, neutral schools were synonymous with godless ones; and to others in the more rural areas, the loss of local control in favour of more-distant regional administrations was already proving to be a somewhat less-than-happy experience. The recently instituted regional school boards with their large and somewhat impersonal polyvalent high schools, and the long bus journeys involved in order to attend them, were not without their critics in conservative, rural Quebec.

Realizing, perhaps, that these proposals threatened a number of vested interests in the province, the Lesage government attempted to delay publication of the last two volumes of the Parent Report until after the June 1966 provincial elections. The press, however, got hold of the recommendations some six weeks before voting day and the wide publicity that resulted is generally thought to have been largely responsible for the unexpected defeat of the Lesage administration.

The victory of the more conservative Union Nationale in the 1966 elections slowed the momentum of educational reform. Whereas certain reforms, such as the CEGEPs and the Université du Québec, went ahead as planned, the government decided not to proceed immediately with the more controversial matter of school board reform. This issue had become even more inflamed with the government's handling of the teachers' strike. The Minister of Education, Jean-Jacques Bertrand, explained to the public that the government was merely motivated by a desire to prevent disparities in salaries between men and women teachers, rural and urban school boards, and local and regional school boards. The upshot was Bill 25 (1967) that not only suspended the teachers' right to strike, but also established a new province-wide salary scale and created a structure to enable collective bargaining to take place at the provincial rather than the local level. Bill 25 raised a storm of protest in many quarters, not least among the school boards, many of which interpreted the bill as direct governmental interference in their traditional autonomy. The controversial issue of school board reform was thus laid to rest pro tem.

In summary, the situation vis-à-vis the Quebec system of school boards was then as follows:

1. In Montreal and Quebec City there were Roman Catholic and Protestant confessional school boards, although the schools that they administered were common. The commissioners in these two cities were appointed rather than elected. In the case of Montreal, the CECM was composed of seven commissioners: four appointed by the government - one of whom had to be English-speaking - and three appointed by the Archbishop of Montreal. The PSBGM was composed of 11 member boards. The Protestant Board of the City of Montreal was composed of eight commissioners: four appointed by the government and four by the Protestant members of the municipal council. The other 17 commissioners of the PSBGM were representatives of its 10-member boards, with five seats exclusively reserved to members of the Jewish faith.

2. In addition, on the Island of Montreal, there were 31 other boards, some of them common and some of them dissentient, some of them Protestant and some of them Roman Catholic; two of them were newly formed regional boards, while others were either integrated or local boards.

3. Outside the Island of Montreal, although the number of boards was much greater (1527 of them as of July 1, 1966), their organization and structure were somewhat simpler. First of all, there were 62 regional boards, of which 54 were Roman Catholic and 8 Protestant. The commissioners of these boards, of which there were usually seven, were appointed by the constituent local school board commissioners. The vast majority of boards outside the Island of Montreal, however, were either common boards managed by five elected commissioners or dissentient boards managed by three elected trustees.

As of July 1, 1966, there were altogether in the Province some 1445 common boards, of which 1310 were Roman Catholic and 135 were Protestant. In addition, there were 59 dissentient boards, of which five were Roman Catholic and 54 were Protestant. Over 60 per cent of Quebec's school commissions accommodated less than 300 students in their schools; and about 70 of them had fewer than 50 students (Parent Report 1966a; Audet and Gauthier 1967, p. 125).

Such was the state of affairs that was to confront a number of Ministers of Education and three political parties as they grappled to bring some order into the complicated morass of school board structures in Quebec. No Minister and no political party has yet been completely successful in this endeavour, although many attempts have been made. The following pages will outline the successes and failures of these efforts.

SCHOOL BOARD REORGANIZATION - SUCCESSES AND FAILURES

For a time in the late sixties and early seventies, school board reorganization took second place to other, more pressing, problems: specifically, the "October Crisis" of 1970 and the language issue. In October 1968, the government-appointed Page Commission proposed a reorganization of the 42 Montreal Island school boards on a linguistic basis. Not only was this advice in conflict with the Parent Report proposals, but the political climate at the time was not favourable to the idea of English-language school boards. It will, perhaps, be recalled that 1968 was the year that riots occurred in St. Leonard, a suburb of Montreal, when the local Roman Catholic school board decided to withdraw English-language services in its schools. Italian parents reacted vigorously; their protests became headlines in newspapers across the nation. The Quebec Superior Court refused to intervene on the grounds that there were no laws in Quebec guaranteeing instruction in English (Mair 1981, p. 235).

In 1969, however, the Union Nationale government tabled Bill 62 which would have reorganized school boards along unified, non-confessional lines, more or less as proposed in the Parent Report, but with two-thirds of the commissioners to be elected by universal suffrage and one-third to be appointed by school committees of parents. As perhaps was to be anticipated, the Bill's proposal for 11 unified boards on the Island of Montreal met with considerable opposition. Bill 62 eventually died in committee when a provincial election was called in 1970 and a Liberal government, led by Robert Bourassa, came to power.

In 1971, the Liberal government came to the conclusion that the issue of school board representation in Quebec generated so much heat and was so complicated that it might be wiser to tackle the problem in two distinct packages. Consequently, Bills 27 and 28 were tabled in the National Assembly. Bill 27, which applied to areas outside Montreal Island and was passed in July 1971, had five major components:

1. The franchise was extended on a universal basis for the election of school commissioners and trustees. This was to apply to all school boards, except the regional boards. Hitherto, it will be recalled that outside the cities of Montreal and Quebec, where commissioners were appointed, only property owners, their spouses, and parents were eligible to vote. Bill 27 extended the franchise and the right to be elected, to all Canadian citizens, aged 18 years and over, domiciled in a school municipality outside of the Island of Montreal.

2. The number of commissioners in the common school boards was increased according to the number of children aged 5 to 12 years within their jurisdictions. The reasons for this particular age-grouping, rather than the total enrolment, was that local school commissions continued to manage only the local elementary schools. The number of commissioners could vary from 9 to 19 as indicated in the table below:

Number of Children	Number of Wards
Less than 2000	9
2001 to 3000	11
3001 to 4000	13
4001 to 5000	15
5001 to 6000	17
6001 or more	19

The number of trustees in the denominational dissentient school boards was to remain fixed at three, however.

3. The number of commissioners at the level of the regional school boards was increased considerably, not always with very happy results. Hitherto, the regional commissioners numbered seven and had been chosen by all the locally elected commissioners at an annual delegates' meeting. This arrangement was proving to be somewhat unsatisfactory, as a number of constituent local boards were not represented on the regional board. Bill 27 changed that by permitting all the locally elected commissioners to also serve as regional commissioners. In many cases, this meant that regional commissions were made up of 70-100 or more commissioners, and in practice their affairs were managed by an Executive of 5, 7, or 9 members, a situation not too different from that which applied before.

4. Bill 27 also legislated committees of parents at both the school and local and regional board levels, along lines recommended in the Parent Report. Each school was to have a School Committee, composed of duly elected parents with the principal and one teacher as ex officio members. The presidents of the School Committees then collectively formed a Parents' Committee at the level of each school board. Commissioners and trustees were not permitted to serve on either the School Committee or the Parents' Committee.

5. Finally, in what was perhaps its most radical move, Bill 27 reduced the number of school boards outside of Montreal from 1100 to 236. This significant reduction was very much in line with the thinking of the Parent Report, but it differed considerably from the Report's recommendations in that a unified status for all boards was rejected and the traditional confessional basis for Quebec's school boards was retained. Also retained was the division of the system into local boards for elementary schools and regional boards for secondary schools. Of the 236 school boards that were to become operational on July 1, 1972, 207 were designated Roman Catholic and 29 Protestant.

Bill 28, also tabled in 1971, was designed to accomplish for Montreal Island school boards what Bill 27 had been successful in achieving in the rest of the province. Montreal, however, is not like the rest of the province. In addition to the fact that its school board structures are different, Montreal also happens to be the area where the majority of the non-Roman Catholic and non-Francophone population is concentrated. For these reasons, problems concerning confessionality, and linguistic and minority rights, are always more acute and generate more heat than in the rest of the province. Bill 28 proposed to abolish confessional boards and replace them with a unified, non-confessional system, albeit containing certain safeguards for confessional and minority groups. The proposal generated considerable opposition; so much so, in fact, that the Minister of Education admitted defeat and withdrew the legislation before it reached third reading in the National Assembly.

In the following year, 1972, the government again tabled legislation, Bill 71, concerning the reorganization of school boards on the Island of Montreal. As with Bill 27 of the year before, it extended the franchise and the right to be elected to all Canadian citizens of majority age; it instituted School Committees and Parent Committees at the level of the school and school board; it specified the number of commissioners for each board; and it reduced the number of boards from 33 to 8 (6 Roman Catholic and 2 Protestant). But this time, the Government rather cleverly side-stepped the controversial issue of whether school boards should be unified, linguistic, or confessional by giving this specific responsibility to the eight island school boards, while retaining the final decision for itself. It did this by creating a new body, le Conseil scolaire de l'île de Montréal (The School Council of the Island of Montreal). It was to be composed of 17 members appointed as follows: six by the Montreal Roman Catholic School Commission, two by the Protestant School Board of Greater Montreal, one from each of the six other Island school boards, and three by the Quebec Government. This new "super" school board, needless to say, was not greeted enthusiastically by the other boards, as they saw in it a potential threat to their own autonomy. No doubt aware of this and fearful, perhaps, of court challenges, the Government mandated the Council with only limited powers - most of them in the field of school buildings, tax rates, loans, and budgetary approval, all of which the Council was to undertake on behalf of its constituent boards. The Council was, however, mandated with a very specific responsibility. Before December 31, 1976, and after it had undertaken a careful and objective study, it was to present to the Minister of Education a plan for the restructuring of school boards on the Island of Montreal. In this manner, the Government was able to postpone a decision on this delicate matter for a period of at least four years, and at the same time, delegate this responsibility to others. Such, presumably, is the art of politics!

In the meantime, Bill 71 had effected some important changes. The commissioners of both the Roman Catholic and Protestant boards in Montreal were no longer to be appointed but would be elected on the basis of universal suffrage. As a result, it was no longer necessary for the PSBGM to reserve five of its seats for members of the Jewish community. For the first time, Jews and others were now given the right to be elected as commissioners to either of the two Montreal confessional boards. The number of commissioners for Island boards was to be no less than 9 and no more than 15; although PSBGM was to have between 11 and 15 commissioners and CECM between 15 and 19. The actual number was to be determined by each board. Because of the fact that some of the school boards on the Island tended to be larger than those elsewhere, arrangements were made in the law so that if a school board was divided into administrative regions, as was the case in CECM and PSBGM, then there was to be a Regional Parents' Committee in each of the regions, and a representative Central Parents' Committee at the level of the Board. With one or two modifications, to be detailed below, these are the basic arrangements and structures that now apply on the Island of Montreal. It should be noted, however, that the legal status of school boards, both on and off the Island, had not been changed. Bills 27 and 71 reduced the number of boards but did not alter their confessional status.

The School Council of the Island of Montreal (SCIM) began its in-depth study of the problem of school board reorganization in the fall of 1973. The various reports, of which 17 were published, concentrated on "confessionality, language of administration and education, type of school board, size of school boards, their territory, their decision-making structures and the distribution of powers and, finally, educational services" (Conseil scolaire 1983, p. 90). A synthesis of the consultations and reports was published in the fall of 1976 under the title: "La restructuration scolaire de l'île de Montréal - Problématique et Hypothèses de Solution". The Council began its study of the problem at a time when the province was deeply involved in a turmoil over the language issue (Bill 22) and then, in November 1976, the parti Québécois defeated the Liberals in the provincial election. It was almost inevitable that the Council's debate on school board reorganization would become immersed in politics and that no consensus would be reached. One group of Council members supported the creation of four types of board on the Island: English Protestant, English Roman Catholic, French Roman Catholic, and French non-confessional. Another group supported English and French linguistic boards with no confessional status. Another proposal that received some support would have changed the Roman Catholic boards into "common" ones and created "separate" school boards for Protestants, a situation somewhat similar to that in Ontario, but in reverse. However, the "separate" boards would have been strictly for Protestants only, and would not have included Jews or Greek Orthodox. Finally, yet another proposal would have preserved the status quo but with the creation of a neutral sector within the confessional school boards themselves. Whatever the Council's final decision, the election program of the parti Québécois had already announced that the Government intended to bring in legislation creating unified boards.

In the absence of a consensus, and then by only a single vote (8 to 7), the Council eventually adopted the proposal to preserve the status quo. "In the absence of a consensus on the current structure and in the absence of a consensus on the structure which should replace it, most members of the Council have preferred to express the opinion that it would be better to keep the status quo, as prescribed by the old adage: "when in doubt, abstain" (Conseil scolaire 1983, p. 94). Except for the fact that the community was now considerably better informed about the issue, nothing had changed.

Following the publication in 1977 of a Green Paper on Primary and Secondary Education in Quebec and of The Schools of Quebec: Policy Statement and Plan of Action in 1979, the Government announced its intention to bring in legislation that would promote the more active participation of parents in the educational system at both the level of the school and of the school board. Accordingly, in June 1979, the Government passed Bill 30 that conferred on parents the right to be directly represented on school boards and on the boards' Executive Committees. In the case of a local elementary board or of a regional board, the Parents' Committee was to elect one of its members to serve as a Parent Commissioner. In the case of an integrated board that offered both elementary and secondary levels of instruction, the Parents' Committee was to elect two Parent Commissioners - one to represent elementary schools and the other, secondary schools. It was the Government's intention io give to Parent Commissioners the same legal rights and powers as elected commissioners. However, in order to avoid the danger of being seen as having been co-opted by the majority of elected commissioners, the parents themselves requested that they not be given the right to vote. They therefore exercise all the rights and powers of elected commissioners, except that of voting.

In December 1979, the Government passed Bill 71. This had the effect of changing the mandates of School Committees and Parent Committees. The original regulations had required that consultation between these committees and school principals and boards was to be on an optional basis. The new law required that, henceforth, consultation was to be compulsory. Bill 71 also made regulations for the establishment of an "Orientation Committee" at the level of each school whose primary function was to plan, implement, and evaluate the school's "educational project" (projet éducatif). An Orientation Committee was to be composed of parents, teachers, non-teaching staff, the principal, and a school commissioner, and was to be established by the board at the request of the parties involved. For various reasons, not least of which was the notion that parents might usurp the traditional functions of the other participants, the Orientation Committee was rarely implemented. This was to have repercussions in later developments to be discussed below.

Meanwhile, the Government was moving on two other fronts, financial and pedagogical, that were to have important implications for school boards in the future. In the Green Paper referred to above, the Government had suggested a policy of decentralization to the level of the local school, including responsibility for its own administration, staffing, and management. "It supposes that the educational and administrative jurisdiction which is now concentrated in the school boards could be spread among the schools themselves" and it also "presupposes a method of universal and equal financing through direct State subsidies" (Green Paper 1978, p. 120). It also presupposed a State-mandated curriculum, the bulk of which would be common to all schools. In 1979, the Government acted to implement both of these latter suppositions. Bill 57 transferred the majority of revenues generated by local school taxation to the municipalities, and limited the school boards to a ceiling of six per cent of their net expenses, or 0.25 cents per $100 of real-estate valuation, whichever was the lower. In order to increase this limit, and then only to a maximum of 12 per cent of expenses, it was necessary for the school board to conduct a referendum among its local taxpayers. Convinced that the autonomy of school boards depends to a large extent on the unrestricted right to levy taxes, a number of school boards took the Government to court on this issue. The denominational school boards, in particular, claimed that one of the rights and privileges that they had possessed in law at the time of the Union (1867) was the unrestricted right to levy school taxes. They therefore claimed that Bill 57 was unconstitutional.

It was also in 1979 that the Government moved on the curriculum front. By means of a small amendment to the Education Act contained in Bill 71, the Government announced that it intended to introduce new régimes pédagogiques ("curriculum plans") to be published by Orders-in-Council. In due course, new régimes pédagogiques for elementary and secondary levels were published in the form of regulations to be progressively introduced into all the schools of Quebec. Again, some of the school boards took the issue to the courts on the grounds that, by tradition and in law, they and not the Government had the right to decide what should be taught in the schools.

There can be little doubt that many school boards were now extremely suspicious of the Government's intentions. Their previously unrestricted right to levy taxes had been severely curtailed; decisions concerning what should be taught, and when, and how much, were now decided by Government decree; salary scales were determined at bargaining sessions in which the Government and the teacher unions, and not the school boards, were the major players; staffing decisions were pre-empted by the numerous clauses of provincially negotiated collective agreements; policy decisions were subject to prior consultation with parent groups; and unelected parents now had seats on the Board and Executive. It was into this atmosphere of distrust that the Minister of Education decided to launch yet another attempt at school board reorganization.

In the summer of 1981, a Ministry leak to the newspaper Le Devoir suggested that the Government was intending to bring in legislation in order to "complete the unfinished business of the Quiet Revolution." Specifically, and as recommended in the Parent Report, the proposal was to abolish confessional boards and universal suffrage and to replace them with unified boards on a regional basis, to be managed and elected by parents. This proposal did not sit at all well with the English-speaking community, many of whom were deeply suspicious of the ultimate intentions of Dr. Camille Laurin, the author of the Charter of the French Language (Bill 101) and Minister of Education. The full intentions of the Government were revealed in 1982 with the publication of a White Paper, The Quebec School: A Responsible Force in the Community. In many ways, the White Paper went considerably beyond the recommendations of the Parent Report. It proposed not only the dismantling of the confessional school board structures as such, but also the virtual elimination of traditional school board functions. This was to be accomplished by granting legal corporate status to individual schools, the parents of which would form the board of directors. It would be the parents who henceforth would manage the administration of the school, including budget, staffing, and hiring and firing the principal. The school board "becomes a place where services to schools are pooled, a regional resource basically working as a service co-operative" (The Quebec School 1982, p. 60). The membership of school boards would not be elected but would be composed of one parent-delegate from each constituent school and three representatives of the Regional County Municipality. Confessionality, if required, would be determined by parents at the level of the individual school, although the actual process was not specified. Finally, in a move perhaps designed to placate the English-speaking community in Montreal, school boards on the Island would be linguistic, whereas school boards elsewhere would be unified but with a special linguistic committee if the minority population was over 10 per cent of the whole. The PSBGM and CECM in Montreal and the two confessional boards in Quebec City would be reduced to the boundaries that existed in 1867, but dissentient boards would be left largely untouched. Elsewhere, all elementary and secondary boards would be integrated (Burgess 1982a).

If the White Paper had been concerned solely with school board structures, it would have surely created some reaction. But as it was also concerned with other more radical dimensions, including a considerably increased role for parents, it succeeded in creating a massive furore of reaction. The media had a field day! Because of the very complexity of the proposal, nearly every aspect of it was carefully scrutinized, and found wanting, by some group or other. Clearly, there was no consensus. One of the more widespread reactions was a general scepticism as to the real intentions of the Government. If the Government controlled the purse-strings *via* Bill 57 and the curriculum *via* the *régimes pédagogiques*, then just how genuine was this notion of decentralization and parent power? Perhaps power to parents was merely an illusion; and how many parents had the time and expertise to handle this responsibility anyway (Burgess 1982b)? Various groups came to realize that it was critically important to retain strong school boards if only because they were a useful political force strategically placed between a powerful Ministry of Education and the schools. Otherwise, some thought, it might soon become a matter of divide and conquer.

Following a year of heated discussion, demonstrations, and debate, the Government tabled Bill 40 in the summer of 1983. To all intents and purposes, Bill 40, with its 625 articles, was a new Education Act. It contained a number of important changes to the plans announced in the White Paper. After intense lobbying by the English-speaking community, linguistic boards were now proposed for the whole province rather than just for the Island of Montreal. Schools, after all, were not to become individual corporations administered solely by parents; school boards would keep at least a few of their powers; and a modified form of universal suffrage would be retained. Even with these compromises, the debate raged on. Parliamentary Committee hearings were conducted in the spring of 1984 and over 240 groups submitted briefs. Eighty of these briefs were presented in the National Assembly under the glare of television lights. The major issues centred upon confessionality, minority rights, the role of parents, universal suffrage, the role of the State, and the composition and function of school boards. Some groups questioned the constitutionality of the Bill and requested that it be referred to the judgement of the courts before proceeding any further. Very few groups could be found who supported the Bill in its entirety and nearly everyone wanted changes or modifications. Some groups asked that the Bill be withdrawn, and a few indicated that, if the Bill were passed, they would seek an injunction in the courts to prevent its application.

Soon after the Parliamentary Committee hearings were over, the Premier announced a cabinet shuffle in which Yves Bérubé replaced Dr. Laurin as Minister of Education. Once again, it appeared that the problems of school board reorganization in Quebec had defeated yet another Minister of Education. But the issue was not yet dead. The new Minister indicated that he wanted to consult with all the interested parties in order to find an acceptable compromise. This consultation took place during the summer of 1984 and a new bill, Bill 3, was tabled in the National Assembly in the fall of 1984. Again, there were more compromises and more changes, but a graduate consensus was slowly beginning to emerge. Although there were many issues that still caused concern, there were, perhaps, four in particular that stood out. *The first* was the matter of confessionality. This was particularly important to Roman Catholics, some of whom doubted that Roman Catholic schools could really flourish without the support structure of Roman Catholic school boards. *Another issue* was the matter of universal suffrage. Bill 3 was now proposing that school board membership be composed of two-thirds elected by universal suffrage and one-third appointed by parents. To some, universal suffrage was seen as a fundamental principle of a democratic society and consequently they were not able to accept any diminution of this principle at the level of the school board. The third issue was concerned with the division of powers. There were two aspects to this: one was the division of powers among the Ministry, the boards, and schools, and the other was between the parents and the professionals. In the face of considerable opposition, the parents were generally the losers. The fourth major issue concerned the matter of constitutionality. Both the CECM and the PSBGM, the largest Roman Catholic and Protestant boards in the province, understandably were opposed to the plan of reducing their boundaries to those of 1867. In the case of PSBGM, and in this they were joined by other Protestant boards, there was also the issue of minority rights. The constitution protected religious minorities but not linguistic minorities. There was nothing in law to guarantee the existence of English-language institutions, but there was a guarantee for Protestants, the majority of whom were English-speaking. If the National Assembly could create linguistic boards, the Protestant boards argued, then they could just as easily remove them. In the absence of a constitutional guarantee for English-language institutions, then the Protestant boards preferred to hang on to what they already had - confessional boards. They therefore indicated that, if passed, they intended to test the constitutionality of Bill 3 in the courts.

In spite of pleas from the opposition Liberals that the Bill be first submitted to the courts, Bill 3 was passed in the National Assembly on December 20, 1984. It is ironic that on that very same day, the Supreme Court of Canada rendered a decision on Bill 57 which stated that insofar as the confessional boards in Montreal and Quebec City were concerned, Bill 57 was unconstitutional in that these boards had the right to tax and to manage their affairs without undue restriction. Although this judgement was not directly related to Bill 3, it did seem to indicate that the confessional boards in Montreal and Quebec, and also perhaps the dissentient boards, had certain rights that could not be lightly ignored.

As soon as the Government began to implement the provisions of Bill 3 in the spring of 1985, the Quebec Association of Protestant School Boards and some of its member boards, including the PSBGM, appealed to the Quebec Superior Court to disallow Bill 3 on the grounds that it was unconstitutional. On June 25, 1985, Mr. Justice André Brossard issued a 110-page judgement in which he ruled that Bill 3 was indeed unconstitutional and he consequently issued a permanent injunction preventing the Government from implementing the law. Bill 3 was therefore dead in its tracks, although the Government has since indicated that it intends to appeal the decision to higher courts.

Because the judgement clarified some of the educational rights of Roman Catholics and Protestants given in section 93 of the British North America Act, it might be helpful to examine parts of the judgement in more detail. The judge stated at the outset that it was not the function of the court to judge the appropriateness of Bill 3 or of section 93 of the BNA Act in relation to the social, cultural, or linguistic reality of modern Quebec society. The role of the court was rather to interpret, in a broad and liberal manner, the protections afforded to minorities by the Constitution. It was up to the Federal and Provincial legislatures and not the courts to amend the Constitution if current social realities required this. It was the opinion of the court that the fundamental objective of Bill 3 was to replace confessional school boards with linguistic school boards; the other changes could have been brought about by amending already existing legislation. The court ruled first that the geographical area of the confessional boards in Montreal and Quebec City was to include the current municipal boundaries of these two cities and could not be reduced to the now meaningless boundaries of 1867. Secondly, the court ruled that the powers of confessional school boards in Montreal and Quebec, and also of dissentient boards, were more extensive than those envisioned in Bill 3. Without specifying all of these powers in detail, they included, inter alia, the right to control the hiring of teachers, the right to have commissioners or trustees of the Roman Catholic or Protestant faith, and the right to some measure of taxing and borrowing power. Thirdly, the court ruled that the right of dissent for Roman Catholic and Protestant minorities could not be stripped of its substance, as Bill 3 proposed to do by the transfer of teachers and buildings to linguistic boards; the exercise of the right to dissent had to be substantive, not theoretical.

The latest episode in the continuing saga of school board reform in Quebec has been the passage of Bill 29 in June 1985. This legislation stems from the Supreme Court decision on Bill 57 concerning the taxation powers of confessional school boards, but it is also related to the Superior Court decision on Bill 3. It permits more latitude to the confessional boards in Montreal and Quebec in the field of taxation and it specifically exempts "the confessional school boards of the Island of Montreal from the control and supervision of the school council of the Island of Montreal in budget matters" (Bill 29, 1985). But it also specifies who is eligible to stand for election and who may vote in confessional school board elections and referenda. Article 3 of the law states that:

> No person of a different religious confession than that of a confessional school board where he has enrolled his children or of which he is a ratepayer may vote at an election of commissioners of the confessional school board or on the occasion of a referendum.

Article 23 of the Bill states that:

> To be entered on the electoral list of a confessional school board, a person must:
>
> 1. be of full age on polling day;
>
> 2. on the last juridical day before the date of deposit of the electoral list, be a Canadian citizen domiciled in the school municipality and have full legal capacity; and
>
> 3. be of the same religious confession as the school board.

The result of these two clauses is that, after years of debate on the question of Jewish representation, non-Roman Catholics and non-Protestants are once again denied the right to vote or to stand for office in Montreal's two largest school boards. "This amounts to disenfranchising a portion of Quebec's taxpayers from the decision-making process. To use an old but entirely applicable phrase, this is taxation without representation" (Goldbloom and McNiven 1985). In this respect, at least, Quebec is back where it was in the 1930s.

CONCLUSION

From the time of the Quiet Revolution, the Province of Quebec has moved rapidly and effectively to modernize its educational system. Its schools, colleges, and universities are now arguably equal, if not superior, to those elsewhere in Canada. In terms of parent participation, its legislation is unequalled in North America. Yet its public school system continues to exist in confessional structures designed in the first half of the 19th century.

The evidence would seem to indicate that these structures have created certain problems in the system almost from the day that they were first instituted. At the present time it is possible to identify the following defects as being derived, directly or indirectly, from the unique set of structures that Quebec now has in place.

1. The division, outside of Montreal, into local elementary school boards and regional secondary school boards results in the duplication of some services and creates problems of co-ordination between the two levels of instruction.

2. The number of commissioners in regional school boards is clearly unwieldy, often unworkable, and creates unnecessary friction between the two levels of administration.

3. School boards in Quebec now number 248, of which 213 are Roman Catholic and 31 Protestant. A reduction is becoming a practical economic necessity, if only to avoid duplication and to ensure that a minimum level of services is available to all children.

4. In the English-speaking community, rapidly declining enrolments are seriously jeopardizing the viability of certain English-Roman Catholic and English-Protestant schools. If these schools are to survive, some form of consolidation is urgently required.

5. In many areas outside of Montreal, where there are few English-Roman Catholic schools, English-speaking Roman Catholics who send their children to Protestant schools have been effectively disenfranchised for many years.

6. In Montreal and Quebec, Bill 29 has recently disenfranchised Jews, Greek Orthodox, and others and prevents their participation in the affairs of confessional boards.

7. The system is evidently unable or unwilling to provide non-confessional schools for those who desire them, even though there is widespread agreement that such schools should be made available. Under the present structures, all schools are officially recognized as either Roman Catholic or Protestant, and attempts by parent groups to have certain schools declared pluralist or neutral have met with failure.

8. Of concern to the Government and also to some school boards, is the recent and somewhat bizarre situation brought about by increased enrolments in the French-Protestant sector. Admittedly, some of this increase is due to English-speaking parents seeking full-time French-language programs for their children; and there is also an increasing number of non-Roman Catholic Francophones. But the remainder is made up of immigrant children who must receive their instruction in French because of the requirements of the Charter of the French Language (Bill 101). The intent of Bill 101 was to immerse these children not only into the French language but also into the French culture in Quebec. It is ironic, to say the least, that this education is now being provided by Protestant boards - traditionally seen as bastions of the English language and culture!

The school boards themselves are well aware of the difficulties brought about by the present structures. Many of them have claimed, during the debates of the past few years, that the majority if not all of these difficulties can be solved internally within confessional structures and without the intervention of the State. The onus would now appear to be on these boards to demonstrate the viability of their claims.

The experiences of the past 20 years suggest that for fundamental structural reform to be successful in Quebec, at least three preconditions must be met. The first is the creation of a broad consensus. This can only come about in a climate of mutual trust, and when care has been taken in advance to consult all of the parties concerned. The somewhat arrogant approach of announcing policies and plans prior to consultation seems to lead only to confrontation. Secondly, it is important that legislation be clear, unambiguous, and straightforward. Legislation that attempts to change too many things at once tends to run into trouble either because people do not understand it and therefore distrust it, or because various interest groups can manipulate uninformed public opinion against it. Also, if the legislation attempts to change too many things at once, it runs the risk of antagonizing numerous vested interests. Finally, it is now obvious that the courts intend to take a broad and generous view of the protections granted to minorities by the Canadian constitution. However much the government may prefer to think that these protections are archaic and/or inappropriate in a modern Quebec society, the rights and privileges afforded to Protestants and Roman Catholics by section 93 of the BNA Act evidently have real meaning. If the government wishes to change the status quo, then there appear to be only two paths open to it. Either it must seek a solution in direct negotiations with the school boards concerned, or it must seek to change section 93 so that it affords protection on a linguistic rather than a religious basis. An amendment to the constitution, however, requires both the support of other provinces and a constitutional accord between the Province of Quebec and the Federal Government. At this time, such an accord does not exist.

In the immediate future, and with the possible exception of some modification to Bill 29, the prospects for fundamental structural reform in Quebec appear to be slim. Too many Ministers of Education and too many governments over the years have succeeded only in burning their fingers on this issue. In spite of the fact that there are serious weaknesses in the system, there is no popular movement in support of radical structural reform at this time. On the contrary, there is a widespread feeling of fatigue and even exhaustion brought about by the recent heated debates on Bill 40 and Bill 3. The general consensus is that perhaps there have been too many changes in the educational field over the past few years, especially in the area of curriculum reform, and that what is needed now is a period of calm and consolidation. The major concern in many peoples' minds is not the structure of education as such, but the quality of education in the schools. Parents, in particular, are asking if changing the structures will improve standards in the schools. No one, as yet, has provided a very convincing answer.

Finally, and insofar as the future of school boards themselves are concerned, there are those who claim that the events of the past 25 years can only be interpreted as a direct and deliberate attack, on the part of successive governments in Quebec, to strip school boards of virtually all their traditional powers. According to this interpretation, the attack has been orchestrated on two distinct fronts. The first involves the gradual erosion of power by means of direct legislation. Bill 25 (1967) has stripped the boards of power to negotiate salary scales and working conditions with their employees; Bill 57 (1979) has effectively removed financial power from the boards by restricting local school taxation to six per cent; the excessively detailed régimes pédagogiques (1981) removed curriculum control; and the various proposals in the White Paper (1982) and Bill 40 (1983) have attempted to remove political legitimacy from the boards by the abolition of universal suffrage.

The attack on the second front is somewhat more subtle and involves the various proposals to grant more power to parents and to individual schools. Again, the evidence can be documented. School and parent committees were established by means of Bill 27 (1971) and Bill 71 (1972) and their powers were expanded in 1979 (Bill 71). Orientation Committees were legislated in 1971; and when these failed to function as planned, the Government proposed various structures for local control of schools (White Paper 1982; Bill 40 1983; Bill 3 1984). All of these steps may be interpreted as a deliberate policy designed to deprive school boards of their traditional powers.

For the moment, at least, the school boards have survived. If the above interpretation is correct, then it is anyone's guess when and in what form the next onslaught will be launched.

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6(a). L'EVOLUTION DES COMMISSIONS SCOLAIRES AU QUEBEC: COMMENTAIRES SUR LE DIAGNOSTIC POSE PAR DONALD A. BURGESS

- Roland Ouellet

Le travail réalisé par Donald A. Burgess sur les diverses tentatives de réorganisation des commissions scolaires du Québec depuis leur origine constitue sans aucun doute une excellente synthèse, assez succincte, mais relativement complète des faits qui ont marqué l'histoire de ces structures. En plus de relater les événements, l'auteur s'est donné comme tâche de les interpréter et d'expliquer, plus particulièrement, pourquoi les nombreux projets de réorganisation ont tous abouti à un échec. Son optique consiste à analyser les réformes scolaires dans une «perspective politique» puisque, souligne-t-il, il s'agit de changements qui ont été initiés par et à travers le processus politique et que, d'autre part, les deux principales parties en présence, le gouvernement et les commissions scolaires, sont elles-mêmes des institutions politiques. Cependant, le résultat de l'analyse qui nous est présentée demeure, à notre avis, limité et même décevant à plusieurs points de vue. Nous consacrerons donc les paragraphes qui suivent à discuter les interprétations fournies par l'auteur et à faire quelques commentaires sur le style qu'il a utilisé.

Dans sa tentative d'interpréter l'échec successif des projets de réorganisation des structures de base du système scolaire québécois, Burgess se comporte comme s'il n'y avait qu'une seule explication majeure : c'est à la fois l'incurie et la maladresse de l'action gouvernementale qui est responsable de l'ensemble de ces échecs. La lecture de ce texte nous laisse l'impression qu'à plusieurs reprises, au cours de l'histoire, les commissions scolaires ont été menacées sinon de disparaître au moins d'être amputées d'une bonne partie de leurs pouvoirs, devenant ainsi les victimes d'une volonté gouvernementale suspecte et parfois même un peu «machiavélique». On semble en effet craindre l'action perfide du gouvernement québécois, par exemple, dans ces propos tenus par Burgess pour décrire la réaction des commissions scolaires protestantes au Bill 3 au printemps 1985 : "If the National Assembly could create linguistic boards, the Protestants argued, then they could just as easily take them (i.e., Protestant institutions) away."

Devant ces menaces, les commissions scolaires ont dû lutter pour leur survie et faire appel aux grands moyens, c'est-à-dire à contester certaines lois devant les tribunaux, contestations qui devaient leur donner raison.

Le jugement d'ensemble qui se dégage du texte de Burgess, et en particulier de sa conclusion, c'est qu'après tant de réformes avortées, la partie gouvernementale, qui a toujours été l'initiatrice du changement, est jugée incompétente et malhabile pour avoir mal choisi sa stratégie qui était trop radicale, trop globale, trop rapide, ambigue, suspecte, arrogante, etc., et pour avoir laissé les structures scolaires du Québec dans l'état où elles étaient dans la première moitié du XIXe siècle ("From the time of the Quiet Revolution, the Province of Quebec has moved rapidly and effectively to modernize its educational system ... Yet its public school system continues to exist in structures designed in the first half of the 19th century.")

Cette lecture de la réalité nous montre sans doute un côté des choses,[1] mais elle laisse aussi dans l'ombre d'autres interprétations qui auraient amélioré notre compréhension des événements et permis d'expliquer avec plus de profondeur pourquoi les divers projets de réforme ont suscité tant de résistances et pourquoi ils ont tous abouti à des échecs. A notre avis, deux autres types d'explication pourraient être avancés.

La première hypothèse se formulerait de la façon suivante. Derrière les projets de réforme des commissions scolaires se profilent des enjeux en matiére d'éducation qui ont eu pour effet de mobiliser une multitude d'intervenants ou de groupes qui, la plupart du temps, n'ont pas hésité, d'une part, à contester (parfois pour des raisons différentes) les initiatives gouvernementales et, d'autres part, à se disputer publiquement sur les orientations de fonds du système et sur le partage des pouvoirs et des responsabilités en matière d'éducation. Autrement dit, l'absence systématique de consensus sur les projets de réforme peut s'interpréter à partir des divergences idéologiques des nombreux acteurs qui se sont confrontés entre eux sur les enjeux contenus dans ces projets. La perspective adoptée par l'auteur ne permettait que difficilement de prendre en considération d'autres acteurs que le gouvernement et les commissions scolaires. Or, pour saisir le problème dans sa complexité, il aurait sûrement fallu ouvrir la perspective. On ne peut étudier sérieusement les affrontements politiques en éducation sans tenir compte de l'ensemble des acteurs participant aux débats et sans prendre en considération les idéologies véhiculées par ces mêmes acteurs.[2]

Une analyse plus substantielle des faits, et en particulier de ceux des vingt dernières années, aurait permis d'analyser l'action des nombreux agents politiques qui se sont impliqués dans les débats : en dehors de l'action du gouvernement et des réactions des commissions scolaires, on aurait pu identifier les positions souvent irréconciliables d'autres acteurs comme les directeurs d'écoles, les parents, les enseignants, les cadres scolaires et les divers groupes linguistiques, religieux et sociaux qui ont pris une part active aux discussions. Peut-être aurions-nous pu découvrir avec une telle analyse, que derrière les résistances de ces agents, se cachent des motifs fort divers et parfois même opposés tels que la protection d'intérêts locaux ou corporatistes, la peur de l'intrusion de l'Etat, l'esprit de clocher, la crainte de perdre du pouvoir, la volonté de participer aux décisions, l'opposition au plan des idéologies politiques, la volonté de partager le pouvoir politique local, etc.

En somme, cette autre interprétation aurait permis de voir qu'en plus de l'opposition verticale entre l'Etat et les autres agents du système, il existait d'importantes divergences de vue entre les nombreux partenaires sur les enjeux de ces réformes. Cette opposition, à la fois verticale et horizontale, est bien identifiée par M. Robert à propos des réactions provoquées par le Bill 40 lorsqu'il dit:

> En effet, ... les oppositions idéologiques, les intérêts divergents et la virulence des débats au sommet entre les

> grands partenaires de l'école ; le gouvernement, le ministère, les commissions scolaires, les enseignants et les parents ... illustrent la difficulté d'établir les consensus sur des «finalités» acceptables par tous et dans des modalités opérationnellement pertinentes pour l'école elle-même (Robert 1984, p. 33).

Burgess, il faut le reconnaître, fait allusion à la réaction de divers groupes mais c'est quasi toujours en des termes vagues et imprécis que ces descriptions sont faites. On ne connaît pas ou peu ces groupes en présence, ni la dynamique qui se développe autour des différents projets de réforme[3]. A aucun moment, on n'analyse la position de groupes particuliers qui se seraient montrés favorables à tel ou tel projet de réforme. Un seul groupe parmi les opposants fait l'objet d'une attention soutenue : c'est la communauté anglophone du Québec. Selon nous, l'analyse des phénomènes de résistance au niveau des multiples intervenants aurait sans aucun doute donné lieu à une analyse politique beaucoup plus significative.

Avant d'aller plus loin dans cette discussion, il nous faut faire une remarque qui va nous permettre d'introduire notre deuxième interprétation. Burgess ne nous fournit pas, dans son texte, de définition claire et précise de ce qu'il entend par «structures» des commissions scolaires. Il semble vouloir distinguer les structures des commissions scolaires de celles qu'il appelle les structures pédagogiques lorsqu'il parle des réformes qui ont été tentées à ces deux niveaux, mais sans les définir très clairement. Si l'auteur laisse entendre que bien des aspects entourant l'organisation et le fonctionnement des commissions scolaires ont fait l'objet de changement au cours de l'histoire (par exemple, les changements dans le mode de représentations, dans le mode d'élection, dans le pouvoir de taxation, dans le découpage par niveau et par région, etc.), quand il affirme que les structures de base de ces institutions sont demeurées identiques à celles qui ont été établies dans la première moitié du XIXe siècle, c'est de toute évidence aux seules structures confessionnelles qu'il se réfère. Or, il faut rappeler ici que le découpage du système scolaire québécois sur une base confessionnelle repose sur des assises constitutionnelles et que, par conséquent, toute remise en cause de ces structures a des incidences légales.

Une deuxième hypothèse que l'on peut invoquer pour expliquer l'échec des projets de réforme des commissions scolaires renvoit donc à la structure juridique sur laquelle repose toute la législation scolaire. L'auteur fait allusion à l'article 93 de l'Acte de l'Amérique britannique du Nord (AABN) mais surtout comme moyen utilisé par les commissions scolaires pour contrer l'action gouvernementale. Or, est-il possible de considérer cet article de loi comme un élément important de blocage à toute réforme en profondeur des structures scolaires non seulement au Québec mais aussi dans bien d'autres provinces du Canada? C'est une question qui mérite sûrement un minimum d'attention.

Une des interprétations qui a cours présentement est à l'effet que l'article 93 aurait consacré de manière définitive les structures scolaires déjà en place dans les années précédant la Confédération (1867) et empêcherait ainsi toute remise en question de ces structures. L'histoire nous montre que dans le passé et en dehors du Québec, les incidences de l'article 93 contribuèrent à empêcher l'évolution des structures scolaires et même dans certains cas à les faire reculer par rapport à des droits acquis par compromis et par accommodements. Deblois, qui soutient cette interprétation, cite notamment le cas de l'Ontario où, au début du siècle, devant la volonté du gouvernement ontarien de limiter l'usage du français à l'école, les Franco-Ontariens, espérant trouver dans l'article 93 de l'AABN la reconnaissance d'un droit à l'école française, furent déboutés par la Cour Supérieure de l'Ontario (Deblois 1985, pp. 36-7).

Dans son analyse des nombreuses crises qui ont éclaté sur des questions relatives au statut des écoles à travers le Canada, Deblois va jusqu'à dire que les différentes interprétations constitutionnelles auraient eu un effet d'inertie sur tout projet de réforme ou de réorganisation de ces structures:

> Les différentes interprétations fournies par les cours supérieures et la Cour Suprême du Canada sur l'article 93 de l'AABN apportaient un élément stabilisateur aux structures scolaires en place dans les différentes provinces canadiennes. En effet, suite à ces jugements de cours, le statut juridique des structures scolaires des différentes provinces est demeuré le même depuis le début du XXe siècle (Deblois 1985, p. 37).

Dans cette perspective, nous pouvons interpréter le rejet du Bill 57 par la Cour Suprême du Canada (20 décembre 1984) et celui du Bill 3 par la Cour Supérieure du Québec (25 juin 1985) pour inconstitutionnalité comme un blocage important à toute réforme des structures des commissions scolaires du Québec. Une fois de plus, l'article 93 de l'AABN se présente «comme une clause anachronique qui entrave sérieusement l'évolution des structures scolaires au Québec comme au Canada tout entier» (Deblois 1985, p. 56-7).

Donc, l'interprétation de Burgess sur l'évolution des structures scolaires du Québec nous semble assez étroite puisqu'elle ne tient pas compte du contexte global, juridique et politique à l'intérieur duquel les diverses tentatives de réforme se sont inscrites. Faute d'avoir eu recours à ce type d'interprétation, l'auteur a été amené à voir le Québec «comme différent» et à rejeter uniquement sur les gouvernements successifs la responsabilité du statisme et de l'immobilisme au plan des structures scolaires.

D'autres éléments présentés dans l'argumentation de Burgess nous apparaissent aussi manifester certaines «faiblesses». Le texte nous laisse parfois sans explications devant certains faits : ainsi pourquoi avant les années soixante-dix le mode de représentation des commissaires différait-il entre Québec et Montréal, et le reste de la province? Pourquoi du côté des commissions scolaires catholiques aurait-on tardé, avant les années soixante, à s'occuper du niveau secondaire comme l'avaient déjà fait depuis longtemps les commissions scolaires protestantes? En laissant ces faits sans explications, ne contribue-t-on pas à enrichir une vision des choses où ce système scolaire est perçu comme «différent» et même un peu «bizarre»? A d'autres moments, les explications nous semblent très peu suggestives : le regroupement des commissions scolaires au début des années soixante-dix s'explique probablement par des arguments liés au contexte social et non pas seulement par le fait qu'elles étaient «fort nombreuses» et, dans bien des cas, «peu nombreuses». Le regroupement des commissions scolaires qui s'est effectivement réalisé en 1971 avec l'adoption du Bill 27, tenait sans doute à une volonté de rationaliser ces structures mais on voyait déjà à ce moment-là se profiler derrière ce type de réorganisation une volonté de répondre à une demande toujours croissante des parents à vouloir jouer un rôle de plus en plus important à l'intérieur de l'école (Plante 1984, p. 10-1). Dans cette même veine, il aurait aussi été éclairant pour le lecteur de comprendre comment les tentatives pour redonner plus de pouvoir aux écoles, et ce, souvent au détriment des commissions scolaires (cela semble surtout ressortir du Livre vert publié en 1977 et de l'Enoncé politique et plan d'action qui a suivi en 1979), ont pu être inspirées en bonne partie par le débat sur la valeur de l'école privée par rapport à celle de l'école publique dans les années soixante-dix, et par les pressions exercées sur le gouvernement pour l'inciter à revaloriser l'école publique en lui donnant plus de pouvoir et de moyens, ce qui lui aurait permis de mieux s'identifier, d'afficher davantage ses couleurs et de répondre plus adéquatement aux besoins de la communauté locale (Plante 1984, p. 10-1).

Ces failles dans l'interprétation de l'auteur étonnent évidemment mais encore moins que cette contradiction dans ses propos lorsqu'il conclut à l'existence d'un large consensus (ce qui resterait à démontrer) sur une réforme possible des commissions scolaires ("there is now a broad consensus that certain aspects of Quebec's school board structures should be changed"), et que dans la même page, il soutient qu'une réforme structurelle au Québec ne peut réussir qu'à trois conditions dont la première serait justement de créer un large consensus sur cette question ("the creation of a broad consensus")! Comment peut-on aussi concilier l'affirmation de l'auteur selon laquelle c'est l'intense "lobbying" de la communauté anglophone qui aurait permis d'introduire dans le Bill 40 une redéfinition des commissions scolaires sur une base linguistique pour l'ensemble du Québec, avec cette autre interprétation à la page suivante disant que cette même communauté aurait décidé de contester le Bill 3 en prétextant que les droits religieux et non pas les droits linguistiques étaient garantis par la Constitution. En rapprochant ces deux types d'arguments, l'auteur aurait peut-être été amené à chercher d'autres interprétations à l'opposition manifestée par ce groupe.

D'autres remarques doivent aussi être faites sur la position idéologique que prend l'auteur et sur le ton qu'il utilise dans son texte. Il ne fait pas de doute pour nous que l'auteur se présente comme le défenseur de l'intégrité des commissions scolaires. C'est son droit absolu de le faire. Toutefois, cette position le conduit à se ranger contre les réformes proposées, ou certains aspects de ces réformes, en employant des arguments qui nous semblent gratuits. Un bon exemple de ce dernier point est lorsque l'auteur remet en question le bien-fondé de la participation des parents en suggérant non seulement que le pouvoir qui leur serait conféré par l'Etat pourrait être «illusoire» mais aussi que les parents n'auraient ni le temps ni l'expertise pour assumer les responsabilités qu'on voudrait leur donner. Il est bien clair qu'il s'agit-là d'un des arguments majeurs mis de l'avant par ceux qui perçoivent la participation des parents au plan scolaire comme une menace.[4]

L'auteur ne cache donc pas ses propres résistances au changement ni son adhésion à la cause des commissions scolaires lorsqu'il réfère à un argument de sens commun comme le suivant:

> It gradually came to be realized that it was critically important to retain strong school boards if only because they were a useful political force strategically placed between a powerful Ministry of Education and the schools.

C'est aussi, à notre avis, ce type d'engagement idéologique qui a conduit l'auteur à utiliser à maintes reprises un ton réprobateur et parfois même moralisateur : c'est ainsi qu'on fait référence aux faiblesses du systéme québécois, à ses déficiences, au marasme dans lequel il se trouve, aux intentions délibérées de l'Etat de vouloir compliquer les choses, à ses intentions suspectes, sans compter le reproche à peine voilé adressé aux différents gouvernements précédant les années soixantes pour avoir laissé le Québec dans un état de quasi sous-développement par rapport au reste du Canada concernant la création d'une autorité centrale forte en matière d'éducation. (A partir de quel(s) critère(s) l'auteur a-t-il voulu laisser entendre qu'un système était meilleur ou supérieur à un autre?) L'utilisation de ce type de langage ne peut pas tellement faire avancer la compréhension des événements et peut même provoquer une certaine cécité par rapport aux faits observés. C'est probablement ce qui s'est produit lorsque l'auteur invoque en conclusion l'absence de consultation comme une des raisons de l'échec des réformes proposées. Jamais, à notre avis, il n'y aura eu autant de consultations et de débats publics dans le domaine de l'éducation au Québec depuis une dizaine d'années : sans porter de jugements sur la qualité ou la valeur de ces consultations, on doit au moins en reconnaître l'existence et l'importance :

> C'est ainsi que les différents énoncés de politique éducative que le ministère de l'Education nous a livrés ces dernières années ont été précédés de vastes consultations et ont été l'aboutissement de rapports de commissions d'étude où siégeaient, en tant que membres à part entière, les groupes directement intéressés (Ambroise 1983, p. 300).

A titre d'exemples, on peut citer le Livre vert et les consultations qui ont suivi; les nombreuses commissions parlementaires qui ont permis aux groupes de pression de faire valoir leur point de vue sur les Bills 40 et 3; le mandat donné au Conseil de l'île de Montréal de présenter son avis sur la réorganisation des commissions scolaires de Montréal; etc. Ces faits indéniables auraient dû amener l'auteur à nuancer davantage ses propos.

Enfin, en terminant, je dois admettre qu'il n'était sans doute pas facile pour l'auteur de multiplier les interprétations et d'apporter toutes les nuances souhaitées dans un travail aussi bref et sur un sujet aussi complexe. Il n'a pas cru bon, cependant, de prévenir le lecteur qu'il pouvait y avoir d'autres points de vue, d'autres manières d'expliquer les choses qui, sans épuiser toutes les interprétations d'une réalité aussi complexe, auraient permis d'enrichir la vision et la compréhension de l'évolution des structures scolaires du Québec.

NOTES

1. Notre argument n'est pas de défendre la stratégie de changement adoptée par le niveau gouvernemental mais bien d'exposer des interprétations alternatives. Nous avons nous-mêmes d'ailleurs déjà critiqué la stratégie de changement gouvernementale à l'occasion d'un colloque tenu à l'Université Laval sur le Bill 40 (R. Ouellet, «Synthèse des commentaires et réflexions sur le Bill 40», dans Les actes du colloque sur le projet de loi 40, Les Cahiers du Labraps, Faculté des sciences de l'éducation, Université Laval, vol. 1, no 1, 1984, pp. 110-8.)

2. Voir à ce sujet Antoine Ambroise, «Les affrontements politiques en éducation», dans R. Cloutier, J. Moisset et R. Ouellet, Analyse sociale de l'éducation, Montréal: Boréal Express, 1983, pp. 299-312.

3. C'est ce genre d'analyse qu'a mené Léon Dion à l'occasion de la création du ministère de l'Education en 1964 (Bill 60). Parmi les différents groupes de pression qui sont intervenus dans ce cas, Dion en a recensé 70 dont 28 étaient en faveur du Bill 60 et 42 contre. Et dans son examen des nombreuses réactions, Dion a justement fait remarquer les écarts idéologiques existant entre les divers agents : «A l'intérieur d'une même catégorie d'associations, les vues pointèrent parfois dans la même direction, comme chez les étudiants et les syndicalistes qui furent en prépondérance d'orientation positive et chez les administrateurs et associations religieuses qui furent surtout d'orientation négative.» Dion devait en venir à la conclusion par la suite que le débat s'est résumé à un affrontement entre l'Eglise et l'Etat, affrontement au cours duquel l'Etat dut faire d'importants compromis. («Le Bill 60 et la société québécoise», dans P.-W. Bélanger et Guy Rocher, Ecole et société au Québec: Eléments d'une sociologie de l'éducation au Québec, Montréal: HMH, 1970, p. 306.)

4. C'est un des aspects que nous avons décrit brièvement en analysant les facteurs qui pouvaient freiner les échanges entre l'école et le milieu. (Roland Ouellet, «L'école dans la communauté et la société», dans Perspectives vol. 16, no 4, 1980, pp. 153-9.)

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6(b). THE EVOLUTION OF SCHOOL BOARDS IN QUEBEC: COMMENTARIES ON THE ANALYSIS OF DONALD A. BURGESS

- Roland Ouellet

- translated by Michael McKenzie

Professor Donald A. Burgess' report concerning the various attempts to reorganize school boards in Quebec since their foundation undoubtedly constitutes an excellent synthesis of the subject. The author's account is succinct, but relatively complete as to the facts that have marked the history of these structures. Professor Burgess assumes the task not only of recounting events, but of interpreting them as well. More particularly, he attempts to explain why the various reorganization proposals have all ended in failure. Educational reform is analysed from a "political perspective" because, as the author himself emphasizes, all changes must be brought about by and through the political process. Further, the two principal participants, the government and the school boards, are themselves political institutions. Nevertheless, Professor Burgess' analysis remains limited and, in several respects, disappointing. In the pages which follow we shall discuss the interpretations provided by the author, as well as the style he employs.

In his attempt to account for the failure of successive projects for the basic structural reorganization of the Quebec school system, Professor Burgess speaks as if there were only one major explanation. It would appear that government negligence and incompetence are responsible for the greater part of these failures. One is left with the impression that several times over the course of history school boards have been, if not actually threatened with extinction, at least in danger of losing much of their power, thus becoming the victims of a government whose intentions are suspect and occasionally even a little Machiavellian. It would seem, for example, that perfidious action on the part of the Quebec Government is feared when Professor Burgess describes the reaction in the spring of 1985 of Protestant school boards to Bill 3: "If the National Assembly could create linguistic boards, the Protestants argued, then they could just as easily take them (i.e., Protestant institutions) away."

Faced with such dangers, the boards had to struggle for survival, and to contest certain laws before the courts; here they were vindicated.

The overall judgement that emerges from Professor Burgess' paper, and especially from his conclusion, is that the government, after so many aborted reforms (it should be noted that the government has always been the initiator of change), has been bungling and incompetent in choosing strategies that were too radical, too all-encompassing, too rapid, ambiguous, suspect, and arrogant, and finally that the government has left the structures of the school system much as they were in the first half of the nineteenth century: "From the time of the Quiet Revolution, the Province of Quebec has moved rapidly and effectively to modernize its education system.... Yet its public school system continues to exist in structures designed in the first half of the 19th century."

Such a reading of the situation gives one side of the story,[1] but it also ignores other interpretations which may have fostered a better understanding of events, and allowed us to explain in greater depth why various reform projects have met with so much resistance, and why all have ended in failure. Two other explanations might be advanced.

The first hypothesis is as follows. Behind the various projects for school board reform certain interests are at stake which have had the effect of mobilizing large numbers of participants, both individuals and groups. In general, these participants have not hesitated to contest (often for different reasons) government initiatives, or to publicly debate among themselves questions concerning the basic orientation of the system, and the division of powers and responsibilities in education. In other words, the systematic absence of any consensus regarding reforms can be interpreted with reference to the divergent ideologies on the part of the participants. The author's perspective does not, to any significant extent, allow us to take into consideration participants other than the government and the school boards. In order to grasp the problem in all its complexity, it surely would have been necessary to widen the perspective. For it is not possible to seriously study political confrontation in matters of education without taking into account all participants and ideologies involved in the debate.[2]

A more substantial analysis of events, particularly the events of the last 20 years, might have allowed us to analyse the actions of the many political agents participating in the debates. Besides the action of the government and the reactions of the school boards, it would have been useful to indicate the often irreconcilable positions of parents, teachers, principals, and administration, as well as the positions of various social, linguistic, and religious groups which have often taken an active part in discussions. With such an analysis, we might have discovered that reforms are resisted for various, often opposing, reasons. These may include fear of state intrusion or of losing power, desire to protect local or corporate interests, desire to participate in decision making or to have a share in local political power. Resistance may also stem from differences of political ideology.

In short, a broader scope would have revealed that, besides the vertical opposition between the State and the other agents in the system, there are also serious differences among the perspectives of numerous other participants concerning the stakes involved in the various reforms. This opposition, at once vertical and horizontal, is identified by Mr. Robert when he speaks of reaction provoked by Bill 40:

> In fact ... ideological conflict, divergent interests, and the "virulence" of the debates between the principal participants (the government, the Ministry, the school boards, the teachers, and the parents) ... illustrate the difficulty of obtaining a consensus on solutions which are acceptable to everyone and at the same time operationally appropriate to the schools themselves (Robert 1984, p. 33).

It must be admitted that Professor Burgess alludes to the reactions of various groups, but almost always in vague and imprecise terms. We learn little or nothing about the groups concerned, nor about the dynamics surrounding the various reform proposals.[3] The author never once examines the positions of particular groups in favour of a given proposal. Of the opposing groups, only one merits the author's sustained attention: the Quebec Anglophone community. An analysis of the resistance of a broader range of participants would have certainly given rise to a more telling political analysis.

A further remark is necessary before introducing our second interpretation. Professor Burgess nowhere provides a clear definition of what he means by the "structures" of school boards. He seems to want to make a distinction between school board structures and pedagogical structures when he speaks of reforms attempted at both these levels, but neither is very clearly defined. Although the author indicates that many organizational and operational aspects relating to school boards have changed over the course of history (i.e., division by level and by region, powers of taxation, and modalities of election and representation), he seems quite obviously to be referring exclusively to confessional structures when he affirms that the basic structures of the Quebec school system have remained unchanged since the first half of the 19th century. It should be kept in mind that the division of the Quebec school system on a confessional basis rests upon constitutional grounds, and that, consequently, any calling into question of these structures has legal implications.

The second hypothesis to explain the failure of school board reform projects has to do with the legal structure on which all educational legislation rests. The author mentions section 93 of the British North America Act (BNA Act) principally as a means used by school boards to counteract government action. Is it not possible to consider this article as a significant factor in blocking any major reform of the school system, not only in Quebec but in many other provinces as well? Surely this question merits a minimum of attention.

One current interpretation would have it that section 93 definitely sanctioned structures already established in the years preceding Confederation (1867), thus preventing any calling into question of these structures. History has shown that in the past, outside Quebec, the effects of section 93 have tended to prevent further development of school system structures, and in some cases have even been responsible for regression in relation to rights acquired through compromise. Deblois supports this interpretation. He cites the case of Ontario where, at the beginning of the century, the Government of Ontario wished to limit the use of French in schools. Franco-Ontarians, hoping to see their right to French schools recognized through section 93, were non-suited by the Superior Court of Ontario (Deblois 1985, pp. 36-7).

In his analysis of the many crises surrounding questions relating to the status of schools throughout Canada, Deblois goes as far as to say that the various constitutional interpretations have tended to impede structural reform and reorganization:

> The interpretations by the superior courts and by the Supreme Court of Canada of section 93 of the BNA Act bring a stabilizing element to the established structures of the school systems in the provinces of Canada. In fact, following these court judgements, the legal status of school system structures of the various provinces has remained the same

> since the beginning of the 20th century (Deblois 1985, p. 37).

In this perspective, the rejection on constitutional grounds of Bill 57 by the Supreme Court of Canada (December 20, 1984) and of Bill 3 by the Superior Court of Quebec (June 25, 1985) may be interpreted as constituting a serious obstacle to any structural reform of Quebec school boards. Again, section 93 can be seen as "an anachronistic clause which seriously inhibits the evolution of school system structures both in Quebec and in the rest of Canada" (Deblois 1985, pp. 56-7).

In failing to consider the global, political, and legal contexts in which all reform attempts must take place, Professor Burgess' interpretation of Quebec school system structures remains too narrow. In leaving aside these factors, the author is led to see Quebec as "different", and to hold the successive governments solely responsible for the rigidity and stasis of the system.

Other aspects of Burgess' argument also manifest certain weaknesses. At times there is no explanation for certain facts. We are not told, for example, why the modality of commissioner representation differed (before the 1970s) between Quebec City and Montreal on the one hand and the rest of the province on the other. Nor are we told why Roman Catholic school boards were late in assuming a role at the secondary level, which Protestant boards had done long before. In failing to explain these facts, do we not run the risk of encouraging a vision of the Quebec system as "different" and perhaps even somewhat "bizarre"? At other times, the author's explanations are limited in their scope. The consolidation of school boards in the early 1970s is probably explicable in terms of the social context, and not only by the fact that they were "extremely numerous" and "thinly populated". While it is true that the consolidation of boards achieved with the adoption in 1971 of Bill 27 aimed at bringing order to these structures, it was already possible at the time to see, underlying this type of reorganization, a desire to respond to the "ever-increasing demand on the part of parents to play a larger role within the school system" (Plante 1984, pp. 10-1). Similarly, it would have been enlightening to see how attempts to give back power to the schools, often to the detriment of the boards (this would seem to emerge from the Green Paper published in 1977 and from the Enoncé de politique et plan d'action which followed it in 1979), were largely the result of debates in the 1970s regarding public as opposed to private schools, and of pressure put on the government to reassert the value of public schools by giving them the means and the power to meet more adequately the needs of the local community (Plante 1984, pp. 10-1).

Obviously, such weaknesses in Professor Burgess' interpretation are cause for surprise. More surprising, however, is the author's claim for the existence of a broad consensus regarding school board reform ("there is now a broad consensus that certain aspects of Quebec's school board structures should be changed"), and his further claim that structural reform in Quebec can only take place if three conditions are met, the first being "the creation of a broad consensus"! Further, how is it possible to reconcile the author's statement that intense lobbying by the Anglophone community allowed a linguistically based redefinition of school boards to be introduced into Bill 40, with a second statement according to which the Anglophone community contested Bill 3 by maintaining that religious rights (and not linguistic rights) were guaranteed by the constitution? By examining these two arguments together, the author may have been led to consider other interpretations of Anglophone opposition.

Further criticisms can be made regarding both the author's ideological position and the tone he uses in making his points. Clearly, the author sees himself as a defender of the integrity of school boards. This is his right. Nevertheless, this position leads him to argue against proposed reforms, or certain aspects of them, on the basis of arguments that seem to me gratuitous. A good example occurs when the author calls into question the validity of parent participation. He suggests not only that the power granted to parents by the State might constitute an "illusion" but that parents themselves would lack the time and expertise to assume the responsibilities conferred upon them. It is clear that this is one of the arguments put forward by those who see parent participation in the school system as a threat.[4]

Thus the author does not hide his own resistance to change, nor his adherence to the school boards, when he refers to the common sense argument:

> It gradually came to be realized that it was critically important to retain strong school boards if only because they were a useful political force strategically placed between a powerful Ministry of Education and the schools.

It is this kind of ideological commitment which frequently leads the author to employ a reproving and even moralizing tone. He refers to the weaknesses and deficiencies of the Quebec system, to the morass of structures in which it finds itself, to the deliberate intention of the government to make things more complicated, and to the government's suspect intentions. He also reproaches the various governments of the pre-1960s era for leaving Quebec in a state of quasi-underdevelopment (compared with the rest of Canada) concerning the creation of a central authority for education. (What are the author's grounds for implying that one system is better than, or superior to, another?) The use of this kind of language is not likely to increase the understanding of events, and may well lead to a certain blindness in regard to the facts observed. This is probably what happens when the author concludes by citing the lack of consultation as one of the reasons for the failure of proposed reforms. In our opinion, Quebec has never seen more consultation and public debate than has taken place in the past 10 or so years. Without judging the quality and value of such consultation, its existence and importance must at least be recognized:

> The statements on educational policy rendered by the Ministry of Education over the past few years have been preceded by vast consultation, and have been the result of study commissions which included, as full members, the groups directly interested (Ambroise 1983, p. 300).

Several examples may be cited: the Green Paper and subsequent consultations; the numerous parliamentary commissions which allowed pressure groups to present their points of view on Bills 40 and 3; and the mandate given to the School Council of the Island of Montreal to present its opinion on the reorganization of Montreal school boards; etc. These undeniable facts should have led the author to qualify his argument.

In conclusion, it must be admitted that the author's task was not an easy one. Certainly one must appreciate the difficulty of doing a comprehensive study in so little space. Nevertheless, the author did not see fit to inform the reader of other explanations and points of view which, without exhausting the interpretations of an exceedingly complex reality, would have nonetheless enriched our vision and understanding of the evolution of educational structures in Quebec.

NOTES

1. The object here is not to defend the strategy of change adopted by the government, but rather to bring to light alternative interpretations. Indeed, I criticized the government strategy for change during a colloquium held at Laval University regarding Bill 40 (Ouellet 1984, pp. 110-8).

2. See Ambroise 1983, pp. 299-312.

3. Such is the type of analysis made by Léon Dion upon the creation of the Ministry of Education in 1964 (Bill 60). Dion surveyed 70 of the participating pressure groups; 28 were in favour of Bill 60, while 42 opposed it. Dion also points out ideological differences between groups: "between associations of the same category, points of view were sometimes of a similar tendency. Students and unionists were predominantly positive, while administrators and religious associations were predominantly negative." Dion comes to the conclusion that the debate amounted to a confrontation between Church and State, in which the latter was obliged to make significant concessions (Bélanger and Rocher 1970, p. 306).

4. This is one of the aspects I describe briefly in an analysis of factors inhibiting exchanges between the schools and the milieu (Ouellet 1980, pp. 153-9).

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7. QUEBEC SCHOOL BOARDS AND THE PROBLEMS OF REFORM - RESPONSE TO THE COMMENTARY BY ROLAND OUELLET

- Donald A. Burgess

I am pleased to have this opportunity to respond to the comments of Professor Ouellet, because it is in this manner that our knowledge and understanding of events in Quebec will be enhanced. I am also pleased to learn that, even if we may differ as to our respective interpretations of the events in question, at least the basic facts do not appear to be in contention. However, I am not prepared to accept the suggestion that my analysis of events was either limited or intended to deceive or that my references to the weaknesses of the system prior to the Quiet Revolution are of the nature of moral judgement rather than of recorded fact. The use of this type of language by a fellow academic is unfortunate.

It was made clear in the introduction that my mandate was to comment specifically on school board structures and not the whole plethora of educational reform movements in Quebec. Indeed, a specific distinction was made between structural and other types of reform. It was also made clear that the intention was to conduct an analysis from a political rather than a sociological perspective. It is therefore unreasonable, to say the least, to criticize an author for not including material which, by definition, was to be excluded. The fact that I make reference to the existence of this material, albeit not in the detail that Professor Ouellet would have preferred, is evidence that I am at least aware of it. The fact that I chose not to comment on it in depth in this article should not lead to a conclusion that the interpretation is limited (limité) and therefore intended to deceive (décevant). As to the charge that I tend to moralize about the weaknesses and deficiencies of Quebec's educational system prior to the Quiet Revolution, I am sorry that this upsets Professor Ouellet, but this is a matter of recorded fact and not personal opinion. I suggest that he may care to read what his fellow Francophones had to say about the situation in the Rapport Parent or in Les Insolences du Frère Untel where these weaknesses are documented.

Professor Ouellet also implies that my judgement is suspect because he claims that I am a defender of the present school board system and opposed to the participation of parents. The facts, however, speak otherwise. I have articulated my opposition to the present confessional school board system and my support of linguistic boards on numerous occasions: in the press, on radio and TV, and before the Parliamentary Committee hearings in the National Assembly. My position on the role of parents is, in fact, quite progressive. Professor Ouellet should perhaps read the Brief in Bill 40 (of which I was co-author), submitted by the Faculty of Education at McGill University, before he jumps to these hasty and unfounded conclusions. That he makes these hasty judgements solely on the evidence of my written words and in the face of the actual facts, suggests that the analysis may be a lot more objective than he cares to think.

Before I turn to matters of more substance, there are three other points on which I take issue with Professor Ouellet. The first concerns the matter of consultations. I am, of course, fully aware of the propensity of the Quebec Government to undertake consultations. Indeed, insofar as school board reform is concerned, I participated in them myself on several occasions with both Dr. Laurin and with Mr. Bérubé and in numerous discussions with Ministry of Education officials in Montreal and Quebec City. My point in the article, and it seems to have escaped Professor Ouellet, is not that there were no consultations but that there were no direct consultations with "the school boards concerned" - specifically the Protestant school boards. In the light of subsequent events, and I use my words advisedly, this was unfortunate.

The second point on which I take issue with Professor Ouellet is his inability to distinguish between the Anglophone community and the Protestant community. He asks how can I reconcile the fact that on one page I can state that the Anglophone community successfully lobbied in favour of linguistic boards and yet, on the next page, it was this same community (cette même communauté) that contested Bill 3 in the courts. Professor Ouellet then suggests, in the light of this evident contradiction, that I would be well advised to look for other interpretations. Come now, Professor Ouellet! Even a superficial reading of the article would have demonstrated that the Anglophone community is made up of many elements (Anglo-Roman Catholics, Jews, Greek Orthodox, and others) and that it is certainly not synonymous with Protestants. Indeed, it was not the Anglophone community nor indeed the Protestant community as such that contested Bill 3 in the courts, it was the Protestant school boards. In fact, the Provincial Association of Protestant Teachers (PAPT) and many others in the Protestant community continue to support linguistic boards (see, for example, the 1985 Winter issue of Sentinel - the PAPT magazine). It is difficult to give much credibility to the views of someone who demonstrates such a basic misunderstanding of the real situation in Quebec.

It is exactly this type of misunderstanding, not at all uncommon in Quebec City by the way, that led the Quebec Government to underestimate the rights afforded to Protestants in the BNA Act. My suggestion, then, that the Quebec Government has been somewhat less than astute in its handling of school board reform, is perhaps not too far off the mark after all.

Finally, Professor Ouellet takes exception to the hypothesis that successive Quebec governments have systematically pursued a policy that stripped the school boards of many of their traditional powers. Professor Ouellet does not question the facts; but he dislikes the interpretation which he describes as somewhat Machiavellian (un peu machiavélique). His point would have been considerably stronger if he had been able to offer an alternative interpretation, but this he fails to do.

As to the more substantive matters, Professor Ouellet suggests that there may be at least two other interpretations to explain the failure of school board reform in Quebec. In this respect, at least, I do not totally disagree with him. The first concerns the multitude of groups, other than the Government and the school boards, that have been involved in the various attempts at school board and school reform during the past 20 years. Such a study needs to be undertaken. It will be important, however, to distinguish between basic structural reform (with which my paper was primarily concerned), and the various other aspects of school and pedagogical reform with which these other groups are primarily concerned.

Unfortunately, the issues tend to get confused because the reforms are often included in the same legislative package as in Bill 40 and Bill 3. As pointed out in the original paper, this in itself may have contributed to the failure of the structural reforms.

The second interpretation concerns the importance of section 93 of the BNA Act as the basis of all educational legislation in Canada. Again, I would not disagree. Insofar as Quebec is concerned it is clear that section 93 is an impediment to change. It is not clear, however, that section 93 has hindered reform in the other provinces. (Perhaps the larger study of which these papers are but part will shed more light on this question.) If a more detailed study revealed that Quebec was the only province for which section 93 was an impediment then this would certainly lead to interesting political and constitutional implications.

In conclusion, I wish to thank The Ontario Institute for Studies in Education, and particularly Professor Ouellet, for providing me with this opportunity to respond to his remarks. It is my hope that this debate on the printed page has enlarged the understanding of Quebec and of its educational system.

8(a). REMARQUES SUR LES COMMENTARIES DE DONALD A. BURGESS

- Roland Ouellet

Je ne parlerai pas du ton utilisé par M. Burgess dans sa réponse à mes commentaires, mais comme il essaie systématiquement de semer le doute sur la crédibilité de mes propos, j'examinerai la base sur laquelle il fonde ses propres arguments.

1. J'ai dit que son interprétation était «limitée» et «décevante» et non pas qu'elle «visait à tromper». Là-dessus, M. Burgess m'a mal cité et prêté de fausses intentions.

2. La définition de ce qu'il entend par structures de base des commissions scolaires demeure confuse. Bien des aspects de ces structures ont changé, a-t-il soutenu, sauf leur caractère confessionnel. Ma perception demeure toujours qu'il réduit la notion de structures de base à celle de structures confessionnelles.

3. Référant à la période précédant la Révolution tranquille, je n'ai pas cherché à soutenir, comme le suggère M. Burgess, que le système de l'époque était sans problèmes. J'ai plutôt relevé l'équation qu'il a faite rapidement entre la faiblesse et le sous-développement de ce système et son caractère décentralisé. La centralisation est-elle toujours un signe de développement et de «santé»? Comment interpréter les pressions actuelles de la population pour un système plus décentralisé? Comme un retour à un système déficient? Questions de faits, M. Burgess doit se rappeler que la défaite du gouvernement libéral en 1966 a été attribuable, du moins en partie, à l'impopularité des changements qu'il a voulu introduire en éducation.

4. M. Burgess demande au lecteur d'évaluer la justesse de ses arguments en lisant entre les lignes ou en se référant à ses expériences personnelles passées! Personne ne peut le suivre sur ce terrain.

5. Il admet maintenant qu'il y a eu consultation.... Son texte suggérait l'inverse: "This (consensus) can only come about (...) when care has been taken in advance to consult all of the parties concerned." Mais alors qu'il parlait de tous les intéressés, il ne parle plus maintenant que de «consultations directes» avec les «commissions scolaires protestantes»!

6. Quant à la distinction entre la communauté anglophone et la communauté protestante, il faut rectifier les choses. Si ce sont les commissions scolaires protestantes qui ont contesté le Bill 3 quels groupes représentent-elles? D'où provient leur clientèle sinon de l'ensemble des groupes (anglo-catholiques, juifs, grecs orthodoxes, protestants, non-religieux anglophones, etc.) identifiés par Burgess comme constituant la communauté anglophone.

7. Le gouvernement du Québec, affirme M. Burgess, aurait «sous-estimé» les droits offerts aux protestants dans l'AABN. Est-ce de la pure spéculation ou est-ce fondé sur des faits précis? Il y a sans doute d'autres interprétations de la décision du gouvernement de pousser de l'avant ces réformes.

8. M. Burgess soutient que les études à venir devraient distinguer les réformes structurelles des réformes pédagogiques. Comme ces deux aspects sont intimement interreliés, on ne sait pas trop sur quel genre d'arguments il se fonde pour dire qu'il est important de suivre son approche.

9. M. Burgess semble penser que le Québec seulement aurait été bloqué par l'article 93. Il devrait pourtant savoir que la structure du système scolaire de l'Ontario est depuis plusieurs mois au centre de débats soutenus sur les implications de la l'article 93.

10. Sur les «points majeurs», c'est-à-dire l'interprétation de l'échec des réformes des commissions scolaires, M. Burgess affirme qu'il me rejoint en partie. Il reconnaît donc que sa façon d'expliquer les choses comportait des «limites» et qu'elle pouvait donc me «décevoir» ou plutôt ne pas répondre complètement à mes attentes.

8(b). REMARKS ON THE COMMENTARIES OF DONALD A. BURGESS

- Roland Ouellet

- translated by Michael McKenzie

I will not speak here of the tone used by Professor Burgess. But because he systematically attempts to cast doubt on the credibility of my remarks, I will examine the basis of his own arguments.

1. I said that Professor Burgess' interpretation was "limitée" and "décevant", but not that it "intended to deceive." Professor Burgess misinterprets the passage cited, and thereby misconstrues my intention.

2. Professor Burgess' definition of basic school board structures remains unclear. He maintains that many aspects of these structures have changed, but not their confessional character. It still seems to me that Professor Burgess reduces the notion of basic structures to that of confessional structures.

3. In referring to the period before the Quiet Revolution I did not maintain, as Professor Burgess suggests, that the system was without problems. Rather, I pointed to the equation Professor Burgess makes between the weakness and underdevelopment of the system on the one hand, and its decentralized character on the other. Is centralization always a sign of development and "health"? If so, how are we to interpret current demands for a more decentralized system? As the return to a weak system? As far as questions of fact are concerned, Professor Burgess must certainly recall that the defeat of the Liberal Government in 1966 was attributable, at least in part, to the changes it wished to introduce in education.

4. The author asks us to judge the validity of his arguments by reading between the lines and by referring to his personal experiences in the past. Such a task is impossible.

5. Although the author now admits that there have been consultations, his text suggests the opposite: "This [consensus] can only come about... when care has been taken in advance to consult all of the parties concerned." But, whereas before Professor Burgess spoke of all concerned parties, he now speaks only of "direct consultations" with "the Protestant school boards"!

6. The distinction between the Anglophone community and the Protestant community is another matter which must be rectified. If Protestant school boards contested Bill 3, it must still be asked what groups the boards represented. Of whom does their clientele consist if not of the various groups (Anglo-catholic, Jewish, Greek Orthodox, Protestant, non-religious Anglophones, etc.) identified by Professor Burgess as constituting the Anglophone community?

7. Professor Burgess affirms that the Government of Quebec "underestimated" the rights given to Protestants by the BNA Act. Is this pure speculation on his part, or is it founded on precise facts? There are undoubtedly other possible interpretations concerning the government's decision to go ahead with these reforms.

8. Professor Burgess maintains that future studies should distinguish between structural and pedagogical reforms. Because the two are intimately interrelated, it is difficult to determine the basis on which he maintains the importance of following his approach.

9. Professor Burgess seems to think that only Quebec has been blocked by Section 93. He should know, however, that for several months now the structure of the Ontario school system has been at the centre of sustained debate concerning the implications of section 93.

10. As for the more "substantive matters" (i.e., the interpretation of school board reform failure), Professor Burgess states that he agrees with me in part. He recognizes, then, that his analysis is to some extent limited, and that I might therefore find it somewhat "décevant" (i.e., disappointing).

9. PUBLIC EDUCATION IN PRINCE EDWARD ISLAND: FOCUS ON SCHOOL BOARDS

- Gerald Hopkirk

THE HISTORY

In 1837, John MacNeil, appointed to visit and report on schools in the province, pointed out many deficiencies to which trustees were requested to attend. Among the most prominent was neglect on the part of trustees to be conscientious when giving certificates of sobriety and good conduct. MacNeil challenged trustees:

> If a remedy were applied to these evils and abuses which I have endeavoured to enumerate, as tending to impede the advancement of education, our schools would assume a healthy and flourishing appearance; and our native youth, who are remarkable for quickness of apprehension and capacity to learn, would prove a credit to themselves and their teachers, and an honour to the land which gave them birth (Annual Report 1887, p.xxvi).

Until 1852, schools in Prince Edward Island were mainly supported by voluntary subscriptions, and by some co-operative local efforts. During this time, only one in twelve of the population attended school. In 1852, the Free Education Act was proclaimed, under which the salaries of teachers were paid almost entirely from the Provincial Treasury, a situation to which the province would return some 120 years later. The Free Education Act provided the stimulus to establish the Provincial Normal School, in 1856, to train teachers and Prince of Wales College, in 1860, to offer secondary schooling. During these years, approximately one in six of the population attended school.

The New Schools Act

In 1877 the passing of the Public Schools Act heralded the true beginning of the public school system. A Department of Education, then called the Central Board of Education, was established and regulations for trustee elections were set down. For rural school districts, three trustees were appointed for one, two, and three years respectively, with their replacements being elected at the annual meeting of the school district. School boards for the City of Charlottetown and the Town of Summerside were established with five members each, some appointed by the government and some by the municipality. All boards were to report to, and be controlled by, the Central Board of Education (Department of Education). In 1877, 413 schools operated for all or part of the fall term, while 72 schools were vacant. Three hundred and seventy-three teachers taught 16 109 students and received $29 539.96 for their services, $3600 of which was provided from government supplements. Local boards billed ratepayers and thus funded their schools.

There were some "growing pains" related to the new Act. For example, the municipally appointed trustees in Charlottetown refused to act and the city schools were organized "... with ability and zeal" (Report 1979, p. 4) by the government appointees. Also, some districts refused to organize on the grounds that the new law contravened the British North America Act "... in taking away from what the objectors called the Acadian Schools in Prince and Queen's counties, certain privileges alleged to be held by these before Confederation" (Report 1979, p. 3). In spite of this, most districts later withdrew their opposition and held district meetings.

In his annual report, the Chief Superintendent of Schools for the province reflected on the acceptance of the new Schools Act. While there were many minor objections to various clauses, the Act in general was accepted in most quarters. He recommended against minor changes to clear up the opposition because he felt to alter the Act would "... unduly harass the minds of the country trustees who find it complicated enough as is ..." (p. 14). Edward Manning, Chief Superintendent of the day, waxed eloquent in his summary of the impact of the new Act:

> The difficulties in the way of its success will, doubtless, be great. Ignorance will die hard, parsimony will pull its purse strings tight, the old feeling among the rich that the poor have nothing to do with education is still alive, and the non-sectarian character of the law makes many enemies for it; but the end sought is worth all the sacrifices and struggles that are necessary - for that end is no less than the mental and moral upraising of a whole people (p. 15).

The number of schools continued to increase during these times. In 1879, there were 406 school districts with 471 schools, only 21 of which were vacant. The success of schools was largely dependent upon the interest and activity of the trustees. While most did a good job, it was reported that:

> In a few districts the Trustees take so little interest in the well-being of their Schools, and are so remiss in the performance of their duties, that good teachers carefully avoid entering into agreements with them. They are thus compelled to employ the worst class of Teachers, who generally leave the Schools in such Districts unworthy of the name (Annual Report 1881).

During the years following the passage of the Schools Act of 1877, a number of significant events took place. Prince of Wales College and the Provincial Normal School amalgamated (1879), women were first admitted to Prince of Wales College (1879), Prince of Wales College became part of the Public School System (1879), a Provincial Teachers' Association was instituted (1880), and a system of merit grading was established for schools (1880).

INTO THE 20TH CENTURY

In the early 1900s, the role of the school trustee became more firmly established although the duties associated with the role varied considerably. Reports from the time indicate activities which varied from "... twelve new outhouses were put up," (Annual Report 1902, p.86) to selection and judgement of teachers, e.g.,

> ... the teacher who goes into a schoolroom and does not feel that he has before him twenty or thirty immortal souls, upon which he is capable of making an impression for weal or woe, is a person not to be trusted in the schoolroom as a character builder (p. 87).

The trustees' supervisory role was supplemented by school inspectors, five in number in 1912, who visited schools twice a year and reported to the Department of Education.

Also, during the early 1900s, talk of school consolidation began. In 1908, a three-man commission was appointed to study the education system in the province and to make recommendations to the government. The commission recommended the setting up of regional or district schools. In the following years, consolidation was a constant topic on the agenda of Department of Education meetings. There was great disappointment expressed by the Chief Superintendent of Education in 1912 concerning the "deplorable" closing of a consolidated school which had been formed across the river from Charlottetown and the reopening of the poorly equipped little district schools that had previously joined together. The same Superintendent clearly articulated his vision of school district organization:

> A careful study of the educational problem has convinced me that we need a reorganization of the whole system of rural school management to secure a more efficient and progressive school administration. Our system of school organization is what is called the district system, in which a small and irregular area known as the school district is the school unit. In this little province these districts number 479 and they are managed by an army of nearly 2000 school officials called trustees and secretaries, many of whom are but indifferently qualified for their important duties and some of whom do not feel any very strong interest in promoting the efficiency of the schools (Annual Report ... 1912, pp. xx).

In the 1920s, the Department of Education began to look outside the province to other provinces and to the United States for more appropriate models to deliver educational services. There was continued concern with inequality and with the lack of control over some school boards that were not performing their duties. The Chief Superintendent was emphatic:

> ... that the people of this Province can never have schools that will be a credit to them or that can render the service they need, until they dissolve the existing districts and merge their territory in larger units (Annual Report 1921, p. xxiii).

Of the 415 schools functioning in 1922, 148 of these (35 per cent) had 14 or fewer students. The per capita costs for these small schools was high and their number did not seem to be decreasing. In an effort to address this problem, the Chief Superintendent of the day proposed a radical plan for school boards, with the exception of those in Charlottetown and Summerside. That plan suggested:

> 1. Dissolve all the existing Boards of Trustees, cancel district boundaries, and redivide the Province into about 45 sections, each such section to include the territory comprised in about 10 or 12 of the present districts. This would not imply the consolidation of the schools. Each section would at the outset have about 10 or 12 schools.
>
> 2. For each section establish a board of five school commissioners, whose duty would be to provide school privileges for all the children of school age in the section. The commissioners would be elected by ballot as Councillors are elected in our towns.
>
> 3. Provide for each section a yearly revenue equal to $35.00 for each child in average daily attendance. The commissioners would pay out of this sum the teachers' salaries, and all other expenses of operating and maintaining the schools of the section.
>
> 4. Raise the revenue as follows: (a) a uniform rate of 75c on the $100 on all real estate within the section upon the valuation made for the purposes of provincial taxation; (b) a poll tax of $2.00 on all such persons as are now liable for school poll tax; (c) the balance, whether great or small, to be provided from the Provincial Treasury.
>
> 5. For capital expenditure let the School Commissioners issue debentures the payment to be made in annual instalments provided for by a small additional real property tax.
>
> The merger of the districts in groups of 10 or more in which parents could send their children to any school they chose would eliminate most of the dissatisfaction regarding boundaries. As only five commissioners would be required where 30 trustees were needed before, it would be easier to secure suitable persons for the position, especially as the office would not be of sufficient importance to be an object of ambition. As both the number of ratepayers and the area of the section would be 10 times greater, personal and factional influences would cease to operate to anything like the same extent as before.
>
> The fixing of a common rate of school taxation for all the sections would do away with the inequality of burden which is a most unjust feature of the present system. Since it would be beyond the power of ratepayers to reduce their contributions toward the cost of school maintenance, the motive of parsimony would no longer determine the attitude of ratepayers toward school policy (Annual Report 1923, pp. xxiv-xxv).

Such attempts to deal with the "Rural School Problem" through the 1920s brought little change but much frustration to the officials in the Department of Education, who felt the current district system had been outgrown and that it hampered development "... like a tight-fitted garment on a fast-growing boy. The life of the people unfolds; it develops, and new forms, new systems must be evolved to meet the new needs" (Annual Report 1929, p. xix).

In 1930, a Royal Commission on Education reported suggesting reorganization and other changes, but again had little substantive impact. Through the 1930s, reorganization and consolidation continued to be discussed, and the Chief Superintendent used every example and opportunity to press for change. He claimed that "... to have some 1200 trustees administer 400 rural schools is absolutely foreign to the modern spirit" (Annual Report 1936, p. xix). When two districts did get together to form a class, he built on that success:

> An illustration of the advantage of even a slightly larger unit may be supplied at St. Peter's. Here were two schools, one on the North and the other on the South side of the river scarcely more than a mile apart with the bridge about midway between. Both schools were overcrowded but neither could support or accommodate two teachers. The obvious thing to do was to open a room somewhere near the junction of the districts and have the senior pupils from both districts attend .... Though this has tentatively been accomplished by a splendid spirit of co-operation on the part of both Boards of Trustees after many years delay, a single Board administering a number of districts could effect similar advantages in many cases (Annual Report 1936, p. xx).

During the 1930s, high school classes were offered in Summerside (Grades 11 and 12 in 1932) and in Montague (Grade 11 in 1936); a new high school opened in Summerside in 1936. These changes allowed students to get high school training in their own county. Compulsory attendance became more of an issue in the 1930s with the Chief Superintendent advocating, in 1939, that Trustee Boards be empowered to jail parents who failed to send their children to school. While a new School Act passed in 1939 handed over the collection and use of the dog tax to the School Trustees, it did little to address the issue of school district reorganization.

At the conclusion of the war in 1945, a number of changes was proposed, some of which were legislated shortly thereafter. Centralized (provincial) taxation was recommended in 1945, because 62 per cent of the money spent on education was provided by the Provincial Government. Regional High School Boards were proposed, with the intention that they would eventually assume control over elementary schools in this area. Also, it was recommended that very small schools:

> ... should be given their choice of three schemes for providing educational facilities - transportation to an adjoining district, with Government sharing generously in the cost; instruction by correspondence, a plan that has proved very

> satisfactory; or being combined or merged into adjoining districts (Annual Report 1946, p. xxxv).

Many of these ideas became legislated in 1947-48 and the concept of the Regional High School Board came into being. It was not until 1958, however, that this legislation was fleshed out, leading to the actual establishment of a Regional High School Board.

The 1949 Session of the Legislative Assembly amended the Public School Act, making provision for larger units of school administration and, as a result, that year, School Unit No. 1 was formed in an area outside the Charlottetown city limits. Seven school districts were amalgamated into one school unit for the purposes of administration. Aside from Charlottetown and Summerside school boards, this was the first lasting consolidation. According to the Annual Report:

> The principle of the Larger Administrative Unit is sound. It can and will settle many of the difficulties which confront our educational system. There is bound to be a certain amount of opposition as the idea is new in this province, but it is my humble belief that the idea will spread and in time encompass the entire province. It will bring with it sounder administration and better schools and will solve the ageless problem of distribution of pupils. The badly overcrowded and the very small schools should disappear and with the coming of a more even distribution, equality of instruction and opportunity will follow (Report 1950, p.69).

This consolidation led to legislation in 1951 which provided for the consolidation of two or more rural districts for the purposes of elementary education. The Board of Trustees for such a consolidation was to consist of not fewer than seven members of whom at least six would be elected by the district. The term of office would be three years with provisions for retirement of one-third of the trustees each year. The district was divided into divisions by the Minister for polling purposes, with each division electing an equal number of trustees.

In 1955, a Commission on Education made recommendations quite similar to those of 1910. By 1955, although the School Act allowed for larger units, only one had been formed. No regional high schools had been constructed, although they had been recommended in 1910. A report by a Select Standing Committee of the Legislative Assembly in 1957 again pressed for faster consolidation and high school construction in the rural areas. Charlottetown had constructed a high school in 1954, and another one was built in 1958, although technically these "high schools" only took students to Grade 10 after which they had to transfer to Prince of Wales College or St. Dunstan's University.

Legislation that was passed in 1958 made changes to the School Act relative to the establishment of Regional High School Units. This legislation allowed the Minister of Education, with cabinet approval, to establish Regional High School Units comprising 10 or more individual rural school districts having a total of at least 20 classrooms, to provide instruction from Grades 9 to 12. Provisions were made for districts to petition the Minister to form a Regional High School Unit, as well as for the withdrawal of a district after three years if no capital expenditure had been incurred. The Board of Management for a Regional High School Unit consisted of the Chairman of Trustees of each participating school district as well as an additional member, who was Chairperson, appointed by the Cabinet. These boards had the power to determine the assessment on each individual district and to demand payment, to hire teachers, and to generally carry out the administration of the High School Unit. Along with the establishment of Regional High School boards, the P.E.I. Association of School Boards was formed in 1965.

While capital costs were theoretically the fiscal responsibility of the districts joining the Regional High School Unit, the government provided grants towards teachers' salaries, towards improvement and new construction, towards the operation of school buses, and it provided other types of assistance. In addition to this, the government was able to pay up to 40 per cent of the operating costs of a Regional High School Unit, excluding capital costs, where the Minister felt the educational service warranted such additional service.

By 1960, the building boom had begun, a boom that would see the construction of regional high schools as well as consolidated elementary schools. For example, by 1967, 15 regional high school districts and 23 consolidated elementary school districts were operating.

These elementary school consolidations all required restructuring of school boards under legislation previously described. One of the major political decisions in each of these cases was to determine the location of the consolidated school. Much debate ensued in the kitchens and rural schoolhouses of P.E.I. over this issue.

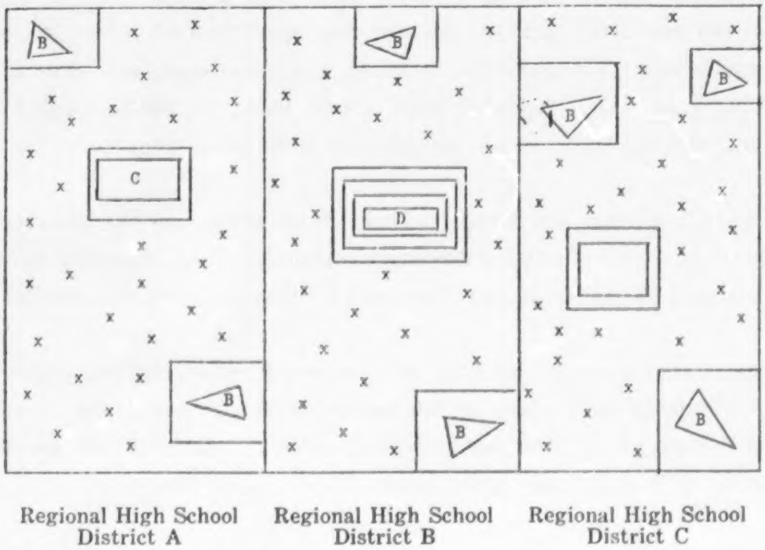
The La Zerte Commission

In 1960, another commission on education recommended some sweeping changes for the governance structure of public education. The La Zerte Commission (Dr. Milton La Zerte, Commissioner) recommended that the province be comprised of four types of districts: (1) local school districts; (2) consolidated districts; (3) regional junior high school districts; and (4) composite senior high school districts. This would be complicated to implement because several small high schools had already begun or completed high school building programs, so Dr. La Zerte modified his plan and recommended four steps toward implementation. The details of these steps are included in Appendix 9.1. The diagram on the following page illustrates the complexity of Dr. La Zerte's plan. While never fully implemented, this commission report established some of the groundwork for the major reorganization which occurred in 1972 and virtually eliminated all the school boards mentioned so far in this paper, replacing them with five

Figure 9.1:

The following diagram of one Large Unit Area with three constituent Regional High School Districts shows graphically the organization outlined above.

LARGE UNIT = Sum of three Regional High School districts — A, B and C.


B
B
B
B
B
B
B
C
D
x
Regional High School District A
Regional High School District B
Regional High School District C

X = A One-room School.

B = A Consolidated School. The district includes two or more local school districts.

C = A Regional High School serving its own district for pupils of grades I to VIII and in addition enrolling all grade IX pupils of area A together with all pupils of grades X, XI and XII in area A who register in the academic matriculation program.

D = A Composite High School, enrolling pupils of grades I to IX from its own district, pupils in grades X, XI and XII of regional district B in the matriculation program and in addition providing the general diploma high school courses with all options required for grade X, XI and XII students of the unit area (the total area A + B + C.)

La Zerte, M. E., Report of The Commissioner on Educational Finance and Related Problems in Administration. Charlottetown: Queen's Printer, 1960, p. 68.

Regional Administrative School Unit Boards which assumed responsibility for the operation of all public schools in the province. This dramatic change and its impact on public education is the topic of the major portion of this paper which follows.

1972 - A NEW SYSTEM OF EDUCATIONAL GOVERNANCE

The current system of public school governance in Prince Edward Island is a direct result of a major (15-year) Federal-Provincial Agreement signed in March 1969, and amended in 1971. This social intervention was intended to be a comprehensive development plan for the province, with a significant portion of this development relating to public education. The plan provided for a huge infusion of Federal monies, some say in lieu of a long-standing Federal commitment to build a causeway from the Island to the Mainland. Most Islanders contend that this was unfortunate for the rest of Canada, as it would continue to be "cut off" from P.E.I. The plan called for a total restructuring of the provincial system of education which was then physically and administratively decentralized with 250 boards of trustees of four different types. The anticipated outcomes of the reorganization were:

> ... to improve the quality of education; to double the proportion of students who complete Grade 12; and in general to give the people of Prince Edward Island a flexible education system capable of overcoming short-term problems and meeting long-term needs (P.E.I. Federal-Provincial Agreement 1971, p. 37).

The Politics and Process of Change

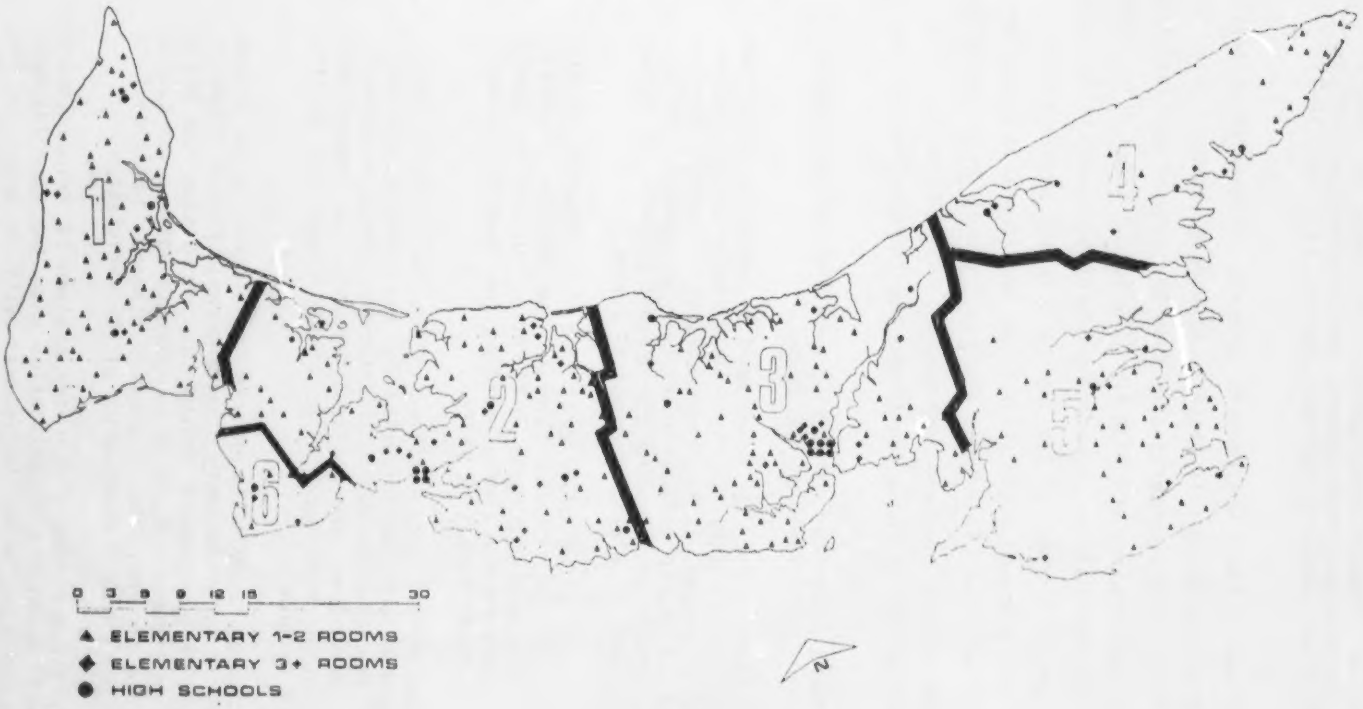
The planning and implementation of the Educational sector of the Comprehensive Development Plan was left to the Educational Planning Unit (EPU), a body comprised of a full-time Director, a Research and Resource Officer, the Director of Elementary Education for the province, the Director of Vocational Education, the Director of Youth Services, four representatives of the P.E.I. Trustees' Association, two from the P.E.I. Home and School Association, two from the P.E.I. Teachers' Federation, and the Superintendents of the Charlottetown and Summerside school systems. From the composition of this Unit, it is obvious that many partnerships would be necessary to engineer this major social change. Among other things, it was the function of the EPU to recommend boundaries for consolidated school units, establish regional planning boards, and develop terms of reference for them, consult with and advise regional planning boards, and make recommendations for the functioning of the Regional School Board that would eventually take the place of the regional planning boards actually to operate school systems.

The Educational Planning Unit established three committees: the first was to develop criteria for the establishment of Regional Administrative School Board boundaries, the second to develop an educational philosophy, and the third to provide guidelines for the collection of statistical data. The committee to recommend boundaries for new comprehensive school units was significantly influenced by existing Regional High School Districts. Also, they determine that: (a) the comprehensive unit must be formed along existing or proposed consolidated school boundaries; and (b) if boundaries were to be altered they were to be shifted in favour of the smaller unit, as it was felt that larger enrolment would allow for more variation in programs, a key concept in the rationale for reorganization.

The boundaries committee proposed that there be five comprehensive school units as the map on the following page illustrates. A much smaller sixth unit represented an Academy area where the language of instruction would be French. Regional Planning Boards of 18 or fewer members representing various interest groups were established in each of these areas with one exception. Area 4 and Area 5 were combined for the purposes of planning and eventually, after some protest, for the purposes of forming a single comprehensive school board. The Regional Planning Boards then set about the task of establishing firm boundaries and the other tasks associated with the design of new school systems. Regional Planning Boards prepared reports to the provincial EPU, which consolidated the reports and supplemented them with research reports of its own and submitted the total package to the Minister of Education. Using these planning studies as a base, the Department of Education recommended the following reforms:

> That the Provincial Legislature establish five Regional School Districts, by July 1, 1972, to take the place of 120 small school districts, thirty-four Consolidated Elementary School Districts, sixteen Regional High School Districts and the two City School Districts.
>
> That existing school property taxes and the poll tax be removed by the Provincial Legislature by July 1, 1972. That a professionally administered uniform property assessment be done on all properties, and that a single Provincial property tax be instituted. That this tax be collected by the Treasurer's Office, and not designated for education or any particular service. That the total cost of public school education be paid by the Provincial government from general revenue in accordance with a uniform Provincial Foundation Program.
>
> That a comprehensive curriculum be adopted by the Province for all students in Grades 7 to 12, and that a continuous-progress curriculum policy be adopted for all elementary students by July 1, 1972.
>
> That a five-year school construction program be undertaken by the Province in order that school housing appropriate for curriculum recommendation implementation would be available for all students by 1976.
>
> That the Department of Education initiate professional development across the Province which is necessary to implementation of curriculum reform recommendations.
>
> That the Department of Education be appropriately restructured by July 1, 1972.
>
> That a Province-wide foundation program be designed and placed into operation by July 1, 1972 consistent with goal recommendations of the educational planning unit, curriculum reform recommendations, and full Provincial funding (Russel 1972, pp. 15-6).

Figure 9.2
Comprehensive School Units



The Facts. Charlottetown: Economic Development Corporation, May, 1969

The rationale for the proposals was recorded by the Director of the Educational planning Unit:

> In setting these goals it was argued that full Provincial funding would insure that geography or wealth would no longer play a part in the allocation of resources for students. It was thought that relieving local education authorities from concern about revenue generation would free them to spend more time on program development, the needs of special students, professional development, and co-operative activities with other community services (Russel 1972, pp. 16-7).

In spite of the rationale, there was concern by rural citizens about loss of control over their local school and about the "bigger is better" philosophy, some of which remains today, 13 years after the fact. Also, strong protests came from the City of Charlottetown whose schools were new or in reasonably good repair, and from the City School Board which feared a decline in the quality of educational services as more money would be diverted to needy rural areas. These concerns prompted the government of the day to give the people of the province one last opportunity to speak to the proposed legislation. The Department of Education and the Government published a booklet entitled, Fair Share Program: Education in the 1970s (1971) which explained the consequences of the proposed legislation. The following letter to the citizens of the province from the Minister of Education formed the introduction to that booklet:

> Prince Edward Island is initiating exciting and challenging new programs in the field of education.
>
> In taking these steps, the Government is appreciative of the unsettling effects they may have on certain school systems within the province. It has been necessary, however, for the Government to choose between short-term disruptions and the long-term effects of allowing the present educational system to continue without significant modifications.
>
> In opting for reform over continuing deterioration of the principles of equality and fairness, we believe sincerely that the Foundation Program will offer to Prince Edward Island's young people a more exciting and rewarding experience during their formative years.
>
> The inequalities and disparities within the Island's educational system will be corrected by reallocating available financial resources through a simultaneous change in property taxation procedures and by restructuring the educational system through joint application of the School Act and the Foundation Program.
>
> Recognizing the complexity of the legislation to be placed before the House of Assembly, the Honourable Alex B. Campbell, Premier of Prince Edward Island, announced that the bills would be introduced and the House asked to adjourn for twelve days before the legislative process resumed, to allow full public discussion and examination of the legislation.
>
> It is my sincere hope that every citizen of Prince Edward Island will examine the legislation with the same fairness and consideration which he expects will be given to his criticisms and observations by the Legislative Assembly. The

> Foundation Program has as its basic objective the extension of equal educational opportunities to every student in the province, regardless of where he lives or the financial resources of his community.
>
> It is an objective which can be achieved, synonymous with the continued growth and development of our more highly developed school systems, by all of us working together in the best interests of Prince Edward Island and its people.
>
> Gordon L. Bennett, Minister

In spite of some protest and fiery debate within the City of Charlottetown, the Government held firm to its vision of equality of educational opportunity, insisting that it would be "raising the ceiling" rather than "lowering the floor".

> On July 1, 1972, all remaining sections of the new School Act, which had been passed by the Prince Edward Island Legislature in December, 1971, were proclaimed. This resulted in the five new Regional Administrative Boards taking over responsibility for the operation of all schools within their respective units since the former 250 smaller boards automatically went out of existence (Development of Education 1974, p.46).

The First Trustee in a New Era

In preparation for the changeover, trustee elections had been held in May 1972, under legislation passed in December 1971. The five units were each divided into 10 zones and elections held. In addition to the 10 elected trustees in each unit, five additional trustees were appointed by the Minister of Education bringing the number of trustees on each Regional Administrative Unit Board to 15. The purpose of the additional five members was to insure equal distribution by geography and population. Confusion over the new boundaries and other factors, discussed later in this report, resulted in few candidates standing for election and a low voter turnout in areas where elections were held.

The new boards were faced with many issues as well as a few surprises. For example, because small boards were going out of existence and their assets and debts being assumed by the new boards, many of the small boards before July 1, 1972, took a last opportunity to improve their local school through repairs and renovations, the cost of which would be transferred to the new boards. While the repairs were perhaps needed, this caused some political problems for new boards when they tried to close some of these smaller "newly refurbished" schools. During the first year of operation, the new Unit Boards reduced the number of one-room schools in the province from 116 to 60. The Department of Education claimed:

> ... there is general agreement that this action by boards has brought about considerable improvement in the quality of education for a large number of elementary children in the rural areas of the province (1974, p.46).

In spite of the controversy surrounding these school closures, bussing, and zoning, the Department of Education felt that the new boards "... although not devoid of crises and problems arising out of such a massive transition can be considered quite successful" (1974, p. 46).

The zones established for the 1972 trustee elections were changed significantly in 1975 when, as a result of provincial election promises, it was determined that all 15 trustees in each unit would be elected, giving at least the appearance of more direct control of public education by taxpayers. This revision of boundaries still represents the present distribution plan for the selection of trustees in the five school units in the province. Each trustee electoral zone was required to contain between five and nine per cent of the voters in the school unit. The zones established in 1975 met this requirement, but because of population shifts the requirement has been waived and the zones made permanent. (See Appendix 9.2)

Trustees' terms of office are four years except in the case of the 1975 elections when eight trustees were elected for four years and seven for two years. Elections have been held every two years since, with seven or eight trustee positions, respectively, open for election.

To be eligible to be a candidate for the position of trustee a person must be 18 years of age, a resident of the regional administrative unit for at least one year immediately prior to election, and a Canadian citizen. No members of the Legislative Assembly of the province; no deputy ministers; and no Department of Education employees are eligible for election as trustees; nor are employees of a board eligible for trusteeship with that board. However, teachers and other school board employees are eligible to become trustees of school units other than the one in which they are employed, providing they meet the other requirements. Trustee candidates must be nominated by 10 or more persons qualified to be registered as voters in an electoral zone. Remuneration for school trustees is minimal and currently amounts to about $1000 a year. The present system of zoning for, and electing, school trustees has been in place for 10 years. The system has strengths as well as weaknesses.

CONCERNS WITH THE STRUCTURE

Two major concerns related to the new structure of educational governance are the lack of interest in school board elections and the limited control of school boards over fiscal matters. The present system of selecting school trustees has generated little public interest in the province, raising the question of justifying the expense of elections. For example, in the latest elections, in 1985, in 28 zones eligible for elections in School Units 1, 2, 3, and 4 (Unit 5 has a different electoral system whereby three candidates are elected per zone) only 10 zones had more than one candidate, thus requiring an election; 16 zones had only one candidate each, thus they were acclaimed; and two zones had no candidates nominated, thus requiring ministerial appointments. Where elections were held, eligible-voter turnout ranged from 2 per cent to 28 per cent. Previous elections in the province generated similar statistics. While it might be said that parental involvement in their children's education has increased through more frequent contact at the school level through parent/teacher conferences, etc., it is certainly not true at the political level of school boards.

While the lack of interest in school board elections appears to represent either confidence in the schools or apathy, there may be a number of other reasons for this phenomenon. Firstly, the zones for trustee elections do not coincide with old school district boundaries, school attendance zones, municipal boundaries, provincial or federal electoral districts, or natural geographical boundaries; thus, few citizens are aware of zone boundaries. Secondly, school boards have very little fiscal control over the operation of their school system. Funds come to school boards directly from the Provincial treasury and are earmarked for use to the point that very little discretion is allowed. For example, in the largest school unit in the province, approximately 81 per cent of the budget was earmarked for salaries, 7 per cent for debt retirement on buildings and for capital projects, and 10 per cent for transportation, maintenance, and energy-related costs, including travel costs required by collective agreements not directly negotiated by boards. This leaves 2 per cent, which includes the entire program budget which has almost all of the costs fixed by provincially required programs. Such little discretionary power to be used by trustees may cause many to question the significance of the time commitment required. There is provision in the School Act for boards to raise supplementary funds, but the legislation is so cumbersome that the single attempt to enact it (to raise funds for a school lunch program) was dropped before a vote was held. The legislation permitting boards to raise supplementary funds requires a plebiscite on any such matter if five per cent of the eligible voters protest a tax increase.

Concern over the apparent lack of interest in the governance structure for education in the province, resulting from the reasons cited or other possible causes, has led to proposals for reform in the province. The concluding section of this paper addresses this concern and these proposals.

THE SCHOOL SYSTEM REVIEW COMMISSION

The government itself, in 1983, established a one-person School System Review Commission to examine the education delivery system. The commissioner spent a year listening to the views of groups and individuals across the province and then presented recommendations which, in her view would, "... make the system more responsive to the needs of Prince Edward Island society" (Paquette 1984).

In a submission to the Review Commission, the Prince Edward Island Association of School Boards presented a positive picture in support, generally, of the present governance structure. However, some recommendations were included. As a result of poor voter turnout, the trustees themselves recommended more information about, and publicity regarding, school board elections. They also recommended by-elections rather than ministerial appointments to fill trustee vacancies resulting from death, resignation, or removal from office. The trustees in their brief also called for a

> broadening of the population requirement per zone as the mobility of our population has perhaps affected some of the existing zones in relation to the present requirements of

> five to nine per cent (Association of School Boards 1984, p. 5).

The brief also recommended a three-year term rather than four for trustees (p. 5) and continuation of 15-member boards (p. 15).

The trustees reporting in the brief spoke strongly against a "town meeting" approach to school and system governance (an idea discussed in the province during the commission hearings). Their statement:

> As it is manifestly impossible to run a school system on the town meeting concept (even though a majority would rule) a procedure has been devised whereby parents vote at regular intervals to choose people to represent them on a board of trustees to operate the system. It is surely the course of wisdom and prudence to support the board system, strengthen it where necessary, and give it sufficient powers to operate effectively. The danger is that if their power is to be reduced and they are blamed for [by] dissident groups for failures of the system it will become difficult to get good people to offer for election (p. 4).

However, the fact of the matter is that, for the most part, parents do not vote at regular intervals and trustee power is so severely limited from a fiscal standpoint that measures far more dramatic than increased publicity at election time or more funds for trustees' stipends (which was also requested) are needed.

Other briefs to the School System Review Commission, as well as questionnaire results, spoke to the issue of the current board structure and resulted in the Commissioner making a number of recommendations which are discussed in the concluding section of this paper. The following is a summary of relevant questionnaire results presented in the School Review Commission Report (surveyed were parents, non-parents, students, teachers, present trustees, past trustees, and boards staff):

1. Eighty-one per cent were satisfied (six per cent dissatisfied) with the way trustees were elected.

2. Sixty-eight per cent were satisfied (18 per cent dissatisfied) with how well-informed they were of school board elections.

3. Seventy per cent were satisfied (16 per cent dissatisfied) with their knowledge of a voter's eligibility.

4. Sixty-nine per cent were satisfied (16 per cent dissatisfied) with how well-informed they were of the zone in which they were to vote.

5. Forty-six per cent were satisfied with how well their trustee made him/herself known; 39 per cent were dissatisfied.

6. Thirty-five per cent were satisfied with trustee accessibility; 23 per cent were dissatisfied.

7. Approximately thirty per cent of parents were satisfied with the way trustees represented their views; 21 per cent were dissatisfied; and 37 per cent didn't know.

8. Sixty-eight per cent indicated satisfaction with the manner in which school boards operate; 16 per cent were dissatisfied; and 15 per cent didn't know.

9. Eighty-two per cent were satisfied with the number of school boards; while 5 per cent indicated "too many"; and 13 per cent indicated "not enough".

10. Seventy-five per cent were satisfied with the number of trustees in each unit, 12 per cent indicated "not enough"; and 13 per cent "too many".

11. Sixty-nine per cent felt the term of office was "just right" (four years); 28 per cent felt it was "too long"; and 3 per cent said it was "too short".

12. Thirty-six per cent of parents did not vote in trustee elections because "they were not aware of an election", and 17 per cent of parents did not vote because they were "not interested".

THE FUTURE-IMPLEMENTATION OF REVIEW COMMISSION RECOMMENDATIONS AND BEYOND

If the recommendations of the Review Commission are implemented, and this does not appear unlikely, a number of changes will occur. Whether or not these changes will be significant vis-à-vis the governance of public education is questionable. A brief review of the recommendations will clarify this question.

According to the Commission recommendations, the Association of School Boards would assume a leadership function in the education of the public regarding school board elections and would actually administer such elections. Trustees would continue to be elected but for a three-year term as opposed to four, and elections for all trustees would be held every three years. The desirability of continuity would then be decided by the electorate. Trustees would be limited to two successive terms of office and by-elections would be held if a trustee position became vacant. The number of trustees per board would remain at 15, with the exception of Unit 5, the small Francophone district, where the number of trustees would be reduced to seven. Most of the recommendations are cosmetic in nature and thus there is little likelihood of sweeping changes that would address the issues of the minimal fiscal power of boards and the lack of voter turnout at trustee elections.

A final recommendation suggests:

> ... the Minister of Education appoint one person from the Department to each of the five Boards of Trustees to serve as a liaison/resource person with the right to sit on all committees and attend all meetings. This would assist the Minister of Education in being better informed and would insure each Board improved communication with the Department. This appointment should be ratified by the respective boards (Paquette 1984, p. 358).

This recommendation, of having a department official sit in at all board and committee meetings, will likely be perceived as further erosion of Board autonomy, as the Minister will have an additional finger in the already limited slice of the educational pie controlled by school trustees.

While schools and school systems in Prince Edward Island are functioning well and providing high quality services, the nagging concern over lack of local control continues to be expressed whenever an educational issue arises. This concern will likely continue, for even though the whole province has a smaller school population than Sarnia, Ontario, the close and direct control of the provincial government leaves school boards virtually powerless.

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APPENDIX 9.1

LA ZERTE RECOMMENDATIONS*

If in the reorganization of education this Province will forget local rivalries, submerge sectional and denominational interests, and give precedence over all other considerations to the needs and welfare of boys and girls of elementary and secondary school age, it can have the framework for what with adequate personnel would be a highly efficient school system. Its essential features are: (a) four types of districts; (b) a foundation program; (c) equalization of educational opportunities for children; (d) equal responsibility on real property holders in the sharing of school costs; and (e) higher provincial grants to broaden the tax base. The following four types of schools would form the structure:

1. The local school district with an elected board to advise its regional area board regarding local needs. This board would make recommendations regarding the district's choice of teacher or teachers. The school, enrolling pupils of grades one to six would be operated by its regional school board. There would be a designated minimum enrolment necessary to justify the operation of the school.

2. Consolidated school districts formed from two, five, ten, or more local districts. Schools would enrol pupils of grades one to six. Transportation would be provided for pupils living some named distance from the school. The school would be operated in the same way as local district schools by the regional boards.

3. Regional junior high school districts for pupils of grades one to nine, the grade one to six pupils coming from the district itself; pupils of grades seven to nine coming from the entire regional junior high school areas. These areas are those now being formed as senior high school districts. Requisitions would be presented to and honoured by the unit area board.

4. Composite senior high schools. There would be one senior high school in each unit area for the education of pupils of grades ten, eleven and twelve. These schools would be composite schools offering diversified courses in senior high school grades.

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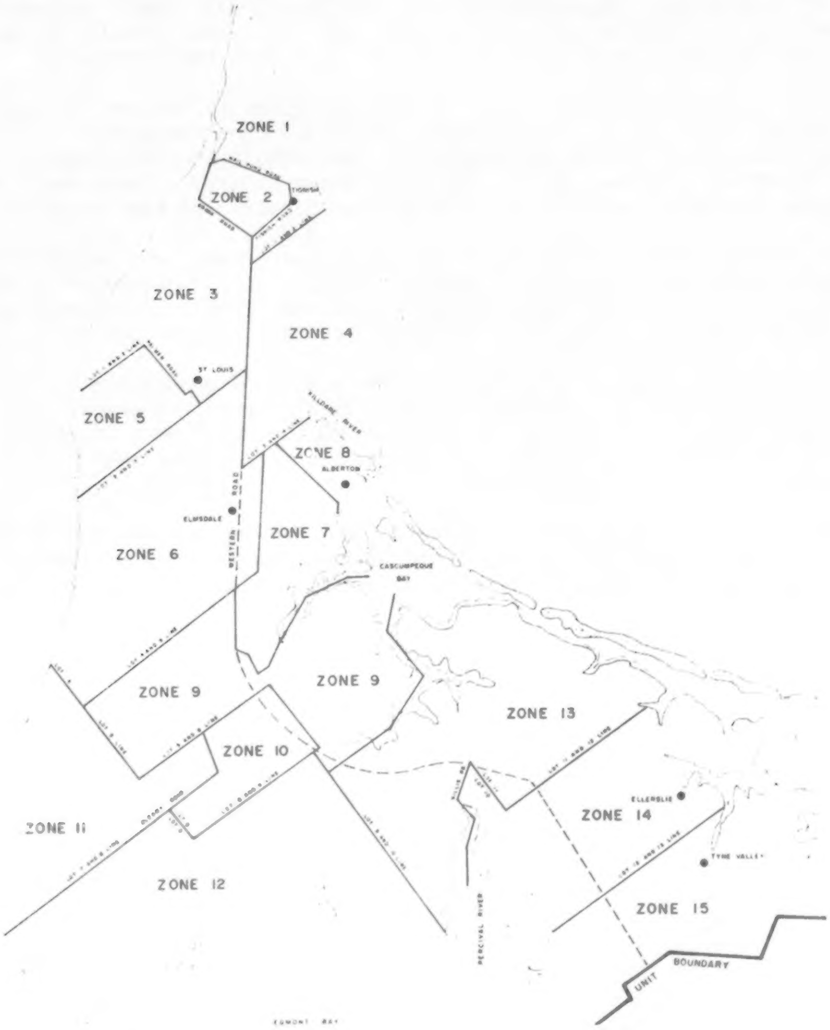
* La Zerte, M. E. Report of the Commissioner on Educational Finance and Related Problems in Administration. Charlottetown: Queen's Printer, 1960, p. 64.

APPENDIX 9.2: Figure 9A.1:

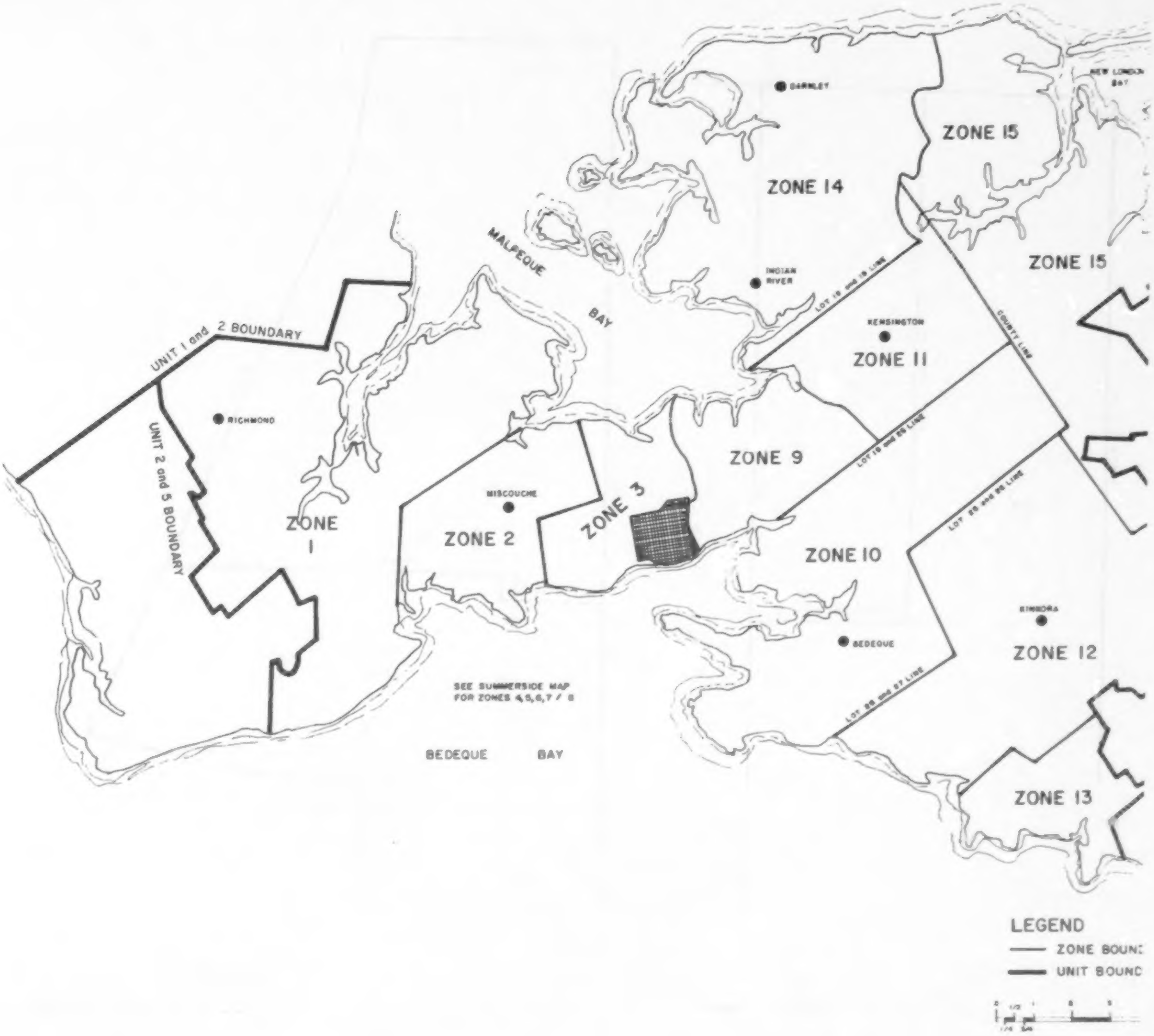
TRUSTEE ELECTORAL ZONES

SCHOOL UNIT #1



TRUSTEE ELECTORAL ZONES

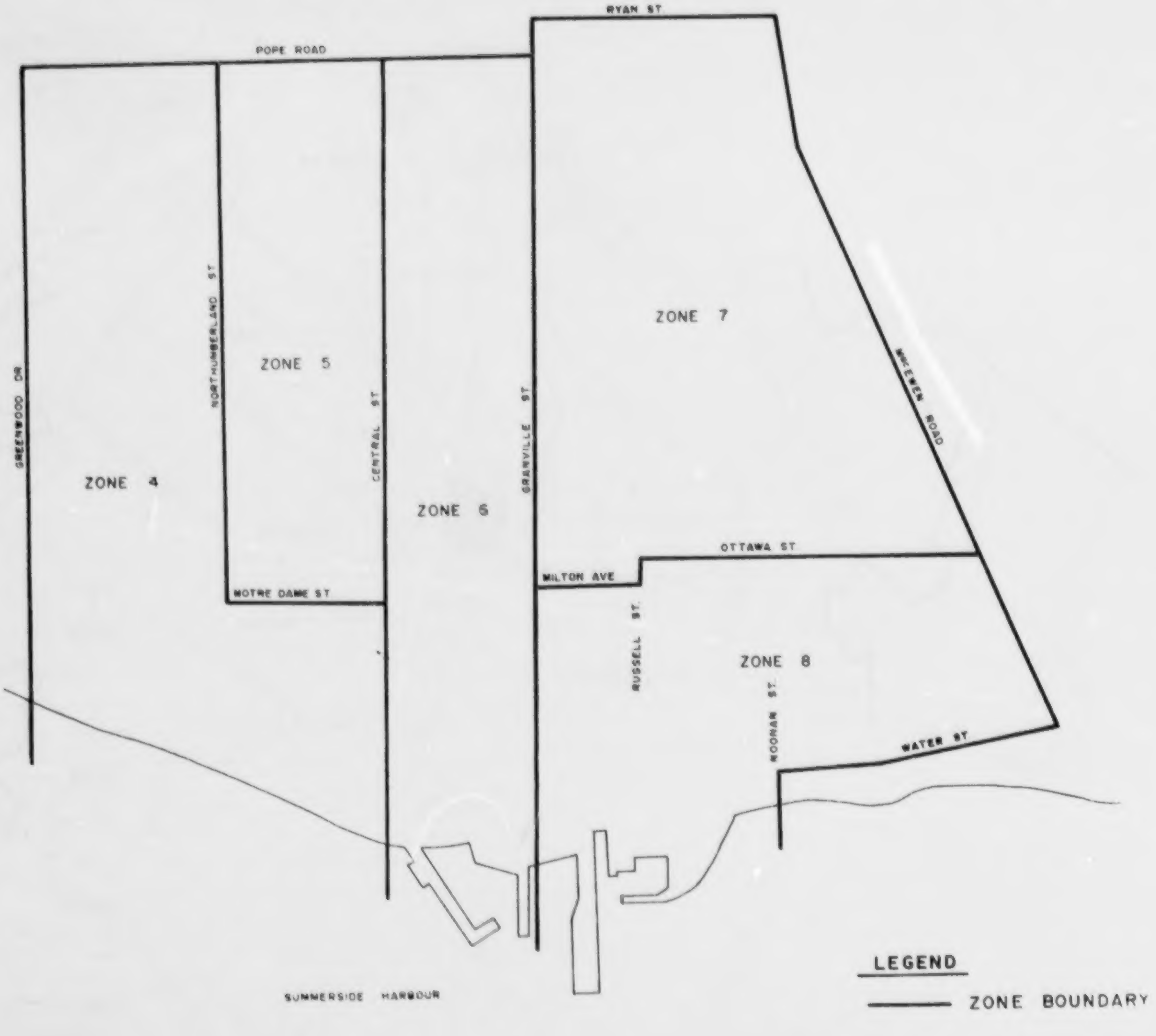
SCHOOL UNIT #2



TRUSTEE ELECTORAL ZONES

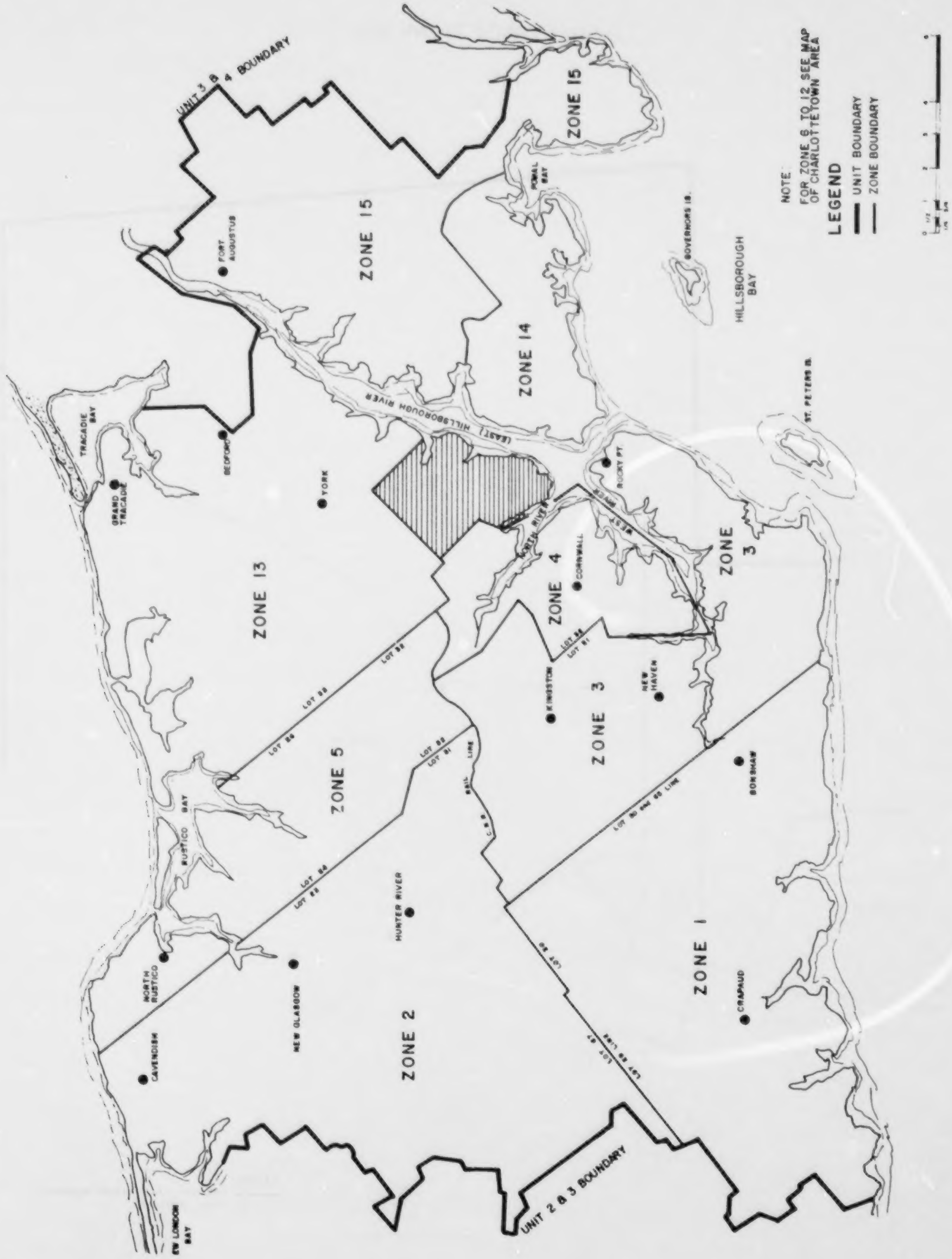
IN TOWN OF

SUMMERSIDE



TRUSTEE ELECTORAL ZONES

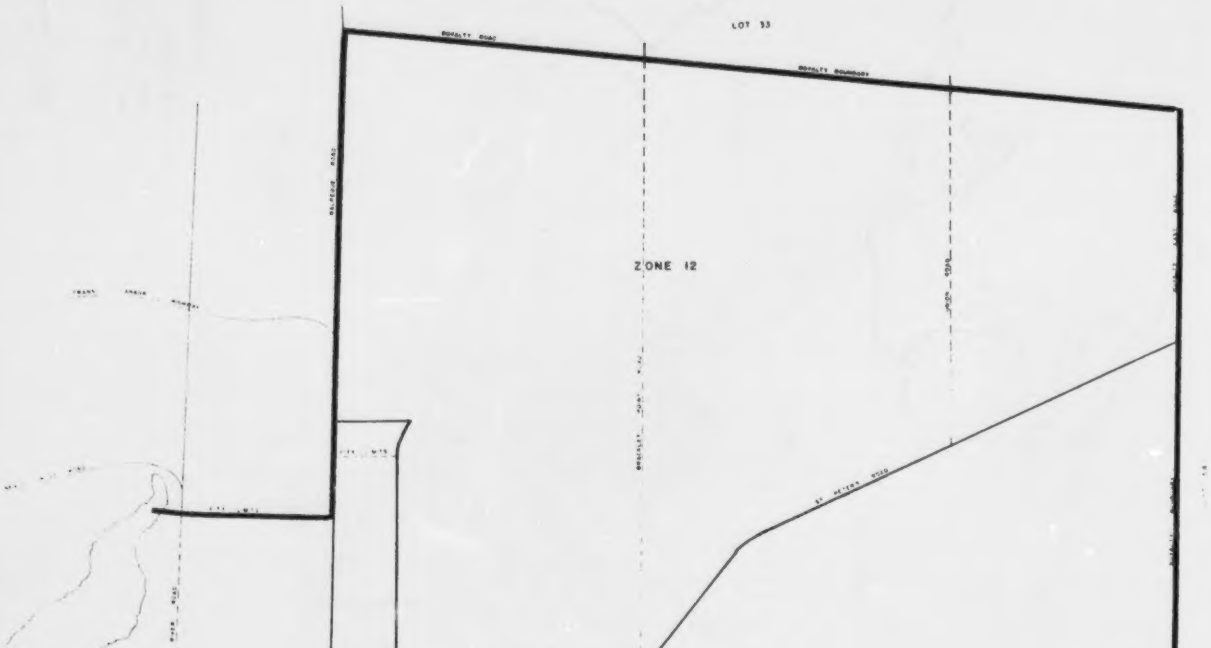
SCHOOL UNIT #3



TRUSTEE ELECTORAL ZONES

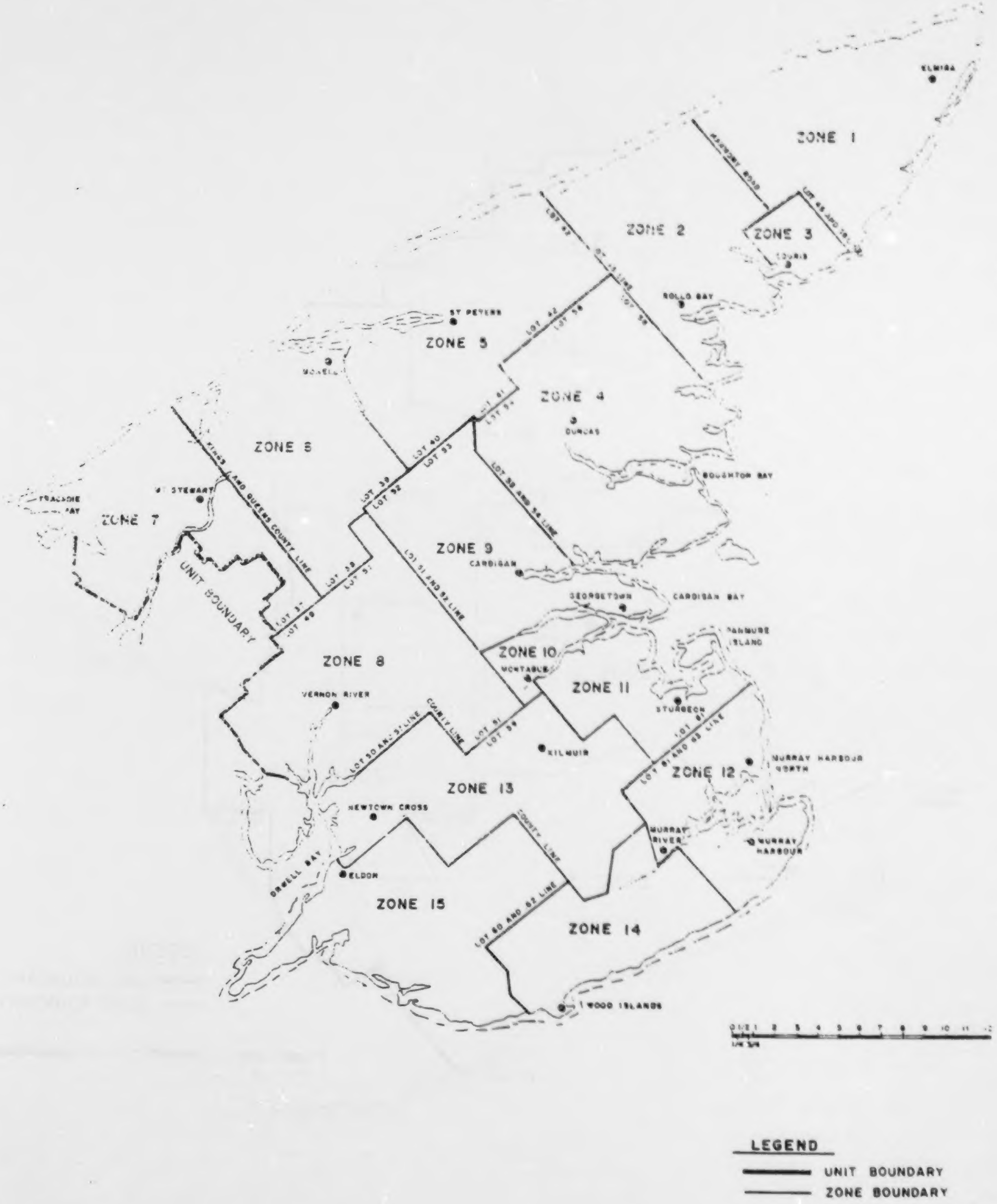
IN THE

GREATER CHARLOTTETOWN AREA



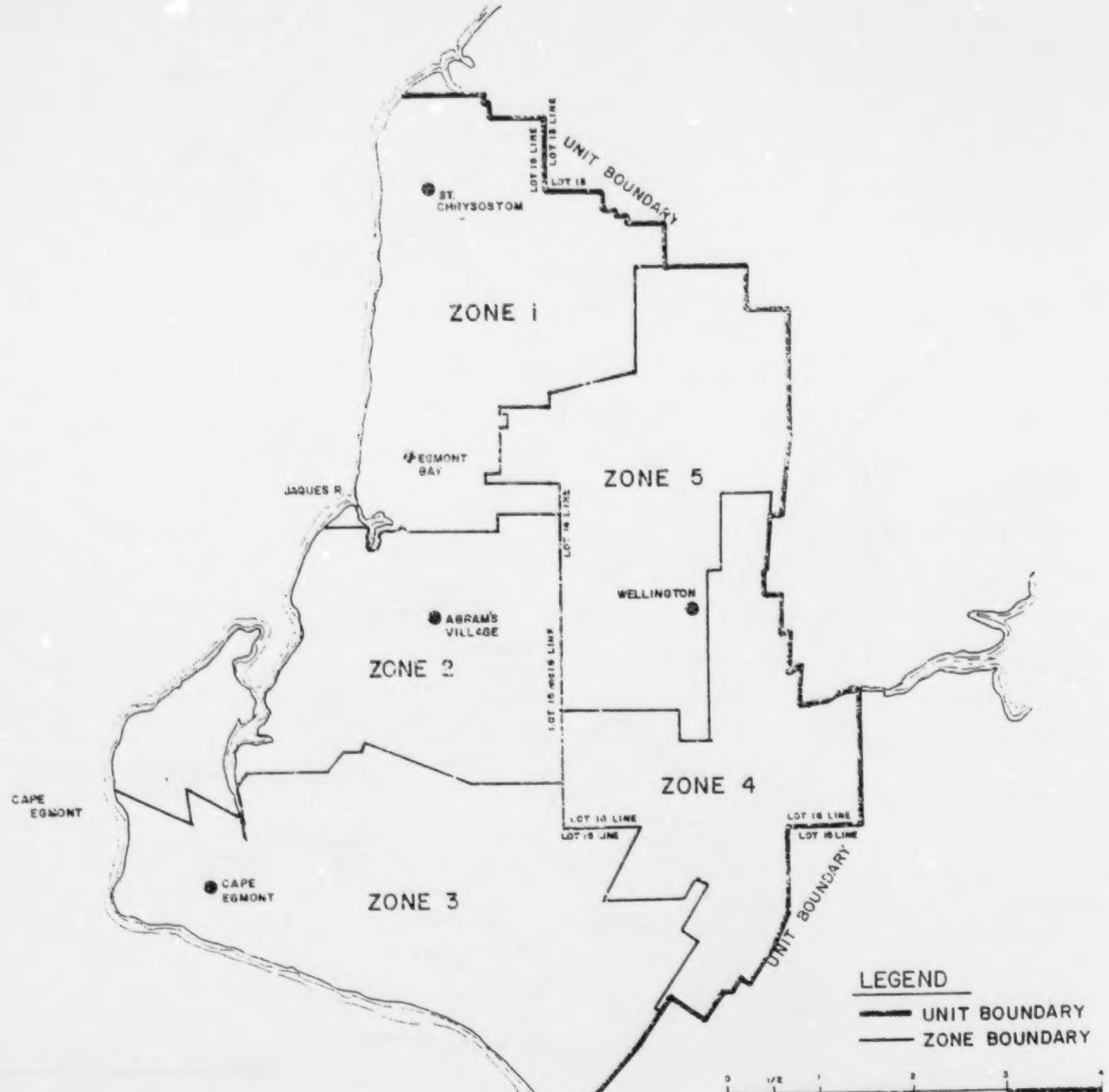
TRUSTEE ELECTORAL ZONES

SCHOOL UNIT #4



TRUSTEE ELECTORAL ZONES

SCHOOL UNIT #5



10. School Trustee Representation in Newfoundland and Labrador: Philosophical Bases and Actual Practices

- G. Llewellyn Parsons

In Canada, when one considers school governance at the local level, that is, administration of schools to suit the local community or district, one usually thinks of "public participation", "community representation", and "democratization". Democratization in a public endeavour is a process which embraces a notion or representation of all interested groups in a particular area, which includes participation in establishing the aims, goals, and objectives for the organization, participation in planning, bringing concerned citizens' ideas to bear upon a problem, decision making on the basis of public input, and openness of deliberations where nothing is hidden from the public view when dealing with things which relate to the public good (Parsons 1984). Democracy also embraces co-operation among groups in execution of policies and establishment of programs. Canada is a country which prides itself upon being a democracy where people hold dear the principles of public participation in matters of common concern. It would then be paradoxical if in school governance Canadians did not practise the principles of democracy and encourage all its people to participate, as fully as possible, in the challenging public task of educating all its citizens. However, democracy is a concept which, although readily acceptable as a principle by Canadians, is not always easy to practice when applied in conjunction with other competing philosophies and traditions.

In Canada, democratic participation has been influenced and developed by our deep-rooted traditions of decentralization of school control and administration, that is, the desire and urge to have schools controlled by and for the small local community. In the past, the little schoolhouse with its board of trustees or school board, had been a viable unit of administration meeting the needs of a group closely knit by common bonds of work, social cohesion, or religious affiliation. People felt very close to the community school and were fairly intimate with everything that went on there, even though no great effort was made to educate all the citizens of the community. To find people in the community to represent community interests was not difficult. However, with population growth, the advent of urbanization and industrialization and attendant heterogeneity, the concept of community began to change. No longer was it possible for a group of school trustees to limit itself and cater to the needs of a small community in a rural setting. The more embracing demands for an education by people from a larger segment of the population led to larger units of control, broadening of curricula and subsequent complexity in the organization and administration of education. With this increased complexity, bureaucratization, and centralization, the problem of representation of the various publics became increasingly complex. The question of the development of a philosophical base and context for fair and equitable representation on school boards is the theme of this paper.

PURPOSES OF THE STUDY

In this paper, an attempt will be made to examine the history and practices of school governance to determine some of the variables which relate to fair and equitable representation on school boards; there will be also an attempt to discover what it is that school trustees should represent. The purpose of this study, which is a part of a much larger study, then, is twofold:

1. to examine basic philosophical issues (as gleaned from the history of educational administration in the Province of Newfoundland and Labrador) related to the question of what or whom school trustees should represent; and

2. to describe methods of allocation of representation over the years which will add to the data base that is needed to ascertain the best way or means to apportion school trustee positions in Canada.

THE RESEARCH STRATEGY

To answer these questions as far as Newfoundland is concerned one needs to review the whole history of school board operation in the province, the genesis of local control, the practices of the past, the present distribution of seats on school boards. As well, one has to peruse all acts and regulations to determine the specifications of current practices, authorities, rationales, regulations, and procedures for the distribution of school board representation. Finally, one has to examine the plans, strategies, and innovations for future school board representation. It is hoped that this empirical data will lead to the selection of criteria to provide a model or guide for school board representation.

This research then will deal with the history of local school administration, as it relates to school boards, the philosophy underlying school board representation, the way school board representation is now distributed, the advantages and disadvantages of such distribution, and some indication of future developments in the selection of school trustees.

HISTORICAL OVERVIEW IN NEWFOUNDLAND AND LABRADOR

At present, there is much ferment and there are signs of positive change in the local school governance of Newfoundland and Labrador. In November of 1985, the various educational publics in this province were permitted to select by election at least two-thirds of their board members. Up to this point, the denominations or groups of denominations had been permitted to select by election only one-third of a board's members. As will be seen in the analysis of school board membership, the usual practice was to select the one-third that was to be elected by "acclamation". However, in November 1985, "selection by election" became an integral part of the method of determining school board membership. Boards are getting closer to their publics; the publics are having a greater say in who is to represent them on the school boards. But this is a recent phenomenon.

To fully understand the present ferment and interest in educational representation and to understand the philosophical base of selecting board members, it is necessary to examine the anticipated and unanticipated consequences of political and educational decisions made in Newfoundland during the 19th and 20th centuries. These decisions created in this province a unique denominational system of education consisting of a church and state partnership in education, which influenced the mode and kind of representation at the school board level for generations.

The denominational education system in Newfoundland is a partnership between the Church and the State. "The basic right of the churches in education is the right of existence of denominational schools and, indeed, their right to continue this existence in accordance with the spiritual and religious beliefs and traditions of the respective denominational groups. This right to exist assumes the right to governance of the educational system, and the right to determine who shall teach and what shall be taught (Kearsey 1985). The role of the State is to help provide the means; the churches in the education system have certain rights by law. The two work together. Now, a denominational system of education has different meanings for different Canadians: to some it means a dual system of education with separate schools for Roman Catholics and non-Roman Catholics; to others it means separate schools for Roman Catholics who want to go to Roman Catholic schools where the whole curriculum is delivered in a moral and social ambience consonant with that particular denomination, and schools for others including Roman Catholics who may not want such a denominational atmosphere. In Newfoundland, the principle of denominational schools is much broader. It means the right of every church (recognized for educational purposes), or group of churches, to establish and maintain its own schools in a moral and social ambience consonant with the particular denomination or group of denominations supported (in whole or in part) by State or public funds. In Newfoundland, it also means that members of a school board who are selected by election must be persons "of the same religious denomination or religious denominations as that or those for which the district was established" (The Schools Act (Amendment) 1985). How did this come about, and what are the philosophical bases for these arrangements?

In 1836, four years after Representative Government had been granted, the Legislature of Newfoundland made "a sincere, conscientious, and honourable attempt to provide the benefits of education to the colony" (Newfoundland House of Assembly Journal 1836, February 24) by providing, first, for the establishment of educational districts, and, secondly, by supporting the societies which were already providing educational services. To understand the impact of this legislative decision it must be recognized that only the eastern half of the Island of Newfoundland had been included under Representative Government. The remaining part was under French control or that of large merchantile fishing interests of southwest England. Moreover, the several educational societies were providing education in only a few communities in the eastern region. The chief bodies providing educational services were the Newfoundland School

Society, which operated schools in several communities, the Benevolent Irish Society, and the Presentation Sisters. In 1836, the Legislative Committee on Education recommended that "for the first part, the Legislature place immediate grants of money at the disposal of the several societies and individuals who direct and govern them." These grants were to be given "as a reward for the past and as an incentive to future exertion" (Newfoundland Legislative Council Journal 1837, p. 67). The Legislature did recognize the good educational work of these societies in the several communities of St. John's, Harbour Grace, Trinity, and a few others, but it felt that more formal educational structures were needed to provide education to the nine electoral districts represented in the House of Assembly. That is, neither the Legislature nor the Legislative Committee on Education (headed by Dr. William Carson) considered these philanthropic, charitable, and religious organizations sufficient for providing education for each of the nine districts represented in the House of Assembly. For this they felt that district boards of education were essential.

The most important consideration of the Committee, after the needs of the voluntary organizations had been taken care of, was "devising the best means for establishment of elementary or primary schools in the several outports of the districts" (Newfoundland Legislative Council Journal 1837, p. 67) through funds provided through the Legislature. Its plans were similar to that of those who demanded "common schools" in Upper Canada during the period 1810 to 1837 (Phillips 1957). To provide education for the whole area represented in the Assembly (at that time the coastal fringe of roughly one-half of the Island), nine educational districts corresponding to the electoral districts were set up with the Governor being responsible for appointing the members of each district educational board.

However, soon after the district boards had been set up, problems surfaced in three of the nine districts. These problems were to unduly influence what was to happen to education in the other six districts and eventually affect educational arrangements for the whole Province of Newfoundland and Labrador. In spite of the good intentions of the Government to set up nine education districts with appointed members, the religious animosities, jealousies, apprehensions, misunderstandings, and mistrust militated against the effective working of the Legislative Act in its plan to set up a non-sectarian public school system for each district. The English Protestants and Irish Roman Catholics, continuing in the new land the quarrels of the old, soon introduced religious difficulties in Conception and Trinity bays and in St. John's (in the extreme eastern section of the colony) where Roman Catholics and Protestants were almost equal in numbers (Newfoundland Legislative Council Journal 1837, Appendix). In these three districts, petty divisions arose to the extent that the appointed representatives at the district levels could not spend the monies allocated by the Government for education in their districts. In the other six educational electoral districts, there was little conflict, yet these eventually suffered because neither the Legislative Assembly nor the Legislative Council was able to solve the problems posed by the appointed representatives in the other three districts where the dissension arose.

What in essence was the problem in these three districts? The Government had hoped to provide schools that were non-sectarian or non-denominational in character, without religious favour to any group, and yet not interfere with the religious beliefs of any church, just as the various voluntary school societies were providing education without religious biases. The District Board of Conception Bay (where the problem began) wanted to include in its constitution a clause respecting the teaching of the Bible. When the government would not approve the Board's Constitution because of the offending clause, the Protestant parents under the leadership of their clergy (who were members of the Board) refused to send their children to school. As the Board did not spend the monies allocated for education in the district, and as the government (because monies were being tied up that were direly needed for other services) was forced to withhold monies allocated to education in that district, both Protestants and Roman Catholics petitioned the Legislature for a division of educational grants for that area. The government was reluctant to do so because of the implications for other districts that had no such problems and where the educational provisions appeared to be working.

In 1837 the Governor pleaded with the legislators and with the appointed board representatives "to assuage religious jealousies and apprehensions and promote the inestimable blessings of universal instructions" (Newfoundland House of Assembly Journal 1837, June 30). But the quarrels in the three districts did not abate, so that in 1843 the government felt obliged to split the educational grants in these three districts between Roman Catholics and Protestants. However, the bill that was brought before the House of Assembly called for the division of the grants between Roman Catholics and Protestants in each of the nine education (electoral) districts, even though the majority of districts had not experienced any religious problems. Thus were created 18 school districts (one Roman Catholic and one Protestant for each of the nine electoral districts) with school board representatives appointed by the Governor. This 1843 arrangement lasted for some 30 years, during which time educational progress in Newfoundland was comparable to that of Upper and Lower Canada (Parsons 1984). However, for Newfoundland there would be more divisions which would fragment the control and complicate the problem of school board representation for the next 100 years.

Looking back at what happened between 1843 and 1874, it appears that the compromise reached in 1843 had some merits; at any rate it reflected what was almost a universal trend towards a dual system of education in other colonies. It has often been pointed out that such a dual system was administratively feasible where numbers and circumstances warranted. Why Newfoundland, in the 1960s when it had an opportunity to reorganize its system of education, did not return to the dual system of 1843 may be difficult to explain to future generations.

The further divisions in education from 1874 to 1876, and the resulting problems in school board representation, came about not because of divisions between Roman Catholics and Protestants but because of divisions among the groups which made up the non-Roman Catholic sector. These Protestant groups bickered for 30 years among themselves over their share of the education grants and how they should be administered until finally, in 1876, the education grants for the Protestant or non-Roman Catholic sectors were divided and more divisions were made in the district organization of education. During the period 1843 to 1876, the Protestant group consisted chiefly of Anglicans (Church of England adherents) and non-conformists (chiefly Methodists, Wesleyans, and Congregationalists). In the 1840s and the early 1850s, most of the Methodists and Wesleyans had not formally broken from the Anglican (Church of England) communion. During the period when the Methodist group was breaking away and forming its own integral church, Edward Feild was the Anglican Bishop of Newfoundland (1844-1876). Before coming to Newfoundland, Feild had served as the first Inspector of Schools in England, to which post he had been appointed by the Anglican Archbishop of England (under the sanction of the Education Act of 1840), with the purpose of circumventing and ameliorating some of the religious difficulties arising between non-conformists and the established-church adherents in England. Feild was a strong-willed, energetic, capable leader, but with all his abilities as a great leader, this staunch churchman (like his counterpart Bishop Strachan in Upper Canada) may not have been the man to prevent divisions among the Protestant groups in education. Feild's Tractarianism or "Oxford Movement" philosophy, with its special emphasis on the community sense of the established church and its desire to bring all breakaway groups back to the "fold", conflicted with the evangelism associated with the Wesleyan or Methodist aim of the church, especially as it operated in Newfoundland (Tucker 1877, p. 217). At the time, these groups were attempting to establish their own churches as separate entities and denominations. As time went on and as the Methodists became more alienated, Feild (who like Strachan in Upper Canada had close ties with Executive and Legislative Councils) became convinced that the Methodists should be separated educationally, as well as ecclesiastically, by a division of the government grants to Protestant or non-Roman Catholic groups for education, just as the education grants had been divided between Roman Catholics and Protestants in 1843 (Newfoundland House of Assembly Journal 1837, June 30). Could he and those who wanted division of the education grants to the Protestant groups have foreseen the problems of administration and school board representation which would arise as a result of such a division?

In 1851, the question of the division of Protestant grants was introduced in the House of Assembly and discussed by the members who were of the Protestant denominations. Roman Catholic members in the Assembly, feeling that the issue did not concern their welfare or the education of Roman Catholic children, kept out of the debate. But petitions against the division poured in from all parts of the island represented in the Assembly (the west, southwest, and northwest parts of the Island still were not represented in the House of Assembly). In the House, only two members supported the Bill for division of grants, while the person who represented the Roman Catholic interests enunciated the Catholic philosophy of education - that the Church should have responsibility for the care and nurture of its children. If this right was recognized then the division among other churches was not a concern of those of the Roman Catholic faith. If those of the Church of England as a group wanted division and the Methodists wanted to accept their responsibility for education as a group, then the Government should not impede such a step. As at that time Newfoundland was divided politically (as far as control in the House of Assembly was concerned) between Roman Catholics and Protestants, and because Anglicans at that time depended politically upon the support of the Methodists, it was conceded that no division which might offend the sensibility of the Methodists could be made.

However, it was clear that the Anglican Church, because of its disagreement with dissenting Protestant groups, would press for a subdivision of educational grants to the Protestants or non-Roman Catholics at an opportune time, when its adherents did not depend upon the political support of the Methodist members in the House of Assembly (Moulton 1960).

In 1861, 16 Conservatives (all Protestants) and 14 Liberals (13 Roman Catholics and one Protestant) were elected. The Government, under H. W. Hoyles, although pressured by the Anglican (Church of England) group, was unable to introduce subdivision of the grants without offending members of his own party. The newspaper of the day, The Newfoundlander (1865, February 6), had this to say:

> (the leader of the Liberal opposition) was perfectly satisfied the leader of the government would do nothing to disturb the denominational arrangements which we all know tended very much to allay sectarian feeling, which at one time ran so high in this country and under which education has made some progress. The duty of government consists of supplying the means for the purpose of education, and exercising a severe surveillance over its expenditure, but to leave the carrying it out, especially as respected religious feelings of the people, to parents and pastors.

So nothing was done to change the dual system set up in 1843 and which after more than 20 years of operation appeared to be working fairly well.

The Coalition Government of 1865-1869 consisted of 17 Protestants and five Roman Catholics, with an opposition of two Protestants and six Roman Catholics (Moulton 1960, Appendix). On the question of subdivision, the government could count on the support of only 10 members, while at least seven members within its own caucus were against the subdivision of grants. The Roman Catholics within the government ranks wanted to remain neutral, as they felt the matter did not concern them. A vote on the subdivision of educational grants to Protestant groups likely would have destroyed the Coalition. This, coupled with the fact that Confederation with Canada had become the leading issue, delayed the vote on subdivision for another term. But still the cry for division would continue under the premiership of Charles Fox Bennett who had been elected chiefly to keep Newfoundland out of Confederation. (If Newfoundland had joined Confederation in 1869, it is likely that section 93 of the British North America Act would have applied and Newfoundland would have had a dual system of education.) Charles Fox Bennett's Anti-Confederate Government of 1869 gave the protagonists of subdivision of grants to Protestant groups the hope of opportunity they had so long desired. The "anti-confederate" Government of 1869 consisted of 12 Protestants and nine Roman Catholics, while the "confederate" opposition consisted of nine Protestants who would have voted against the anti-confederates on any issue. As the Roman Catholic members of the Government were neutral on the issue of subdivision (they felt that the matter of subdivison was not of any concern to the Roman Catholic Church), and because the Protestants with the Government party were equally divided between the Anglican stand and that of the Methodists, no bill of subdivision was introduced. However, church leaders did approach the Upper House, the Legislative Council, to see what action could be taken. In 1871, the Legislative Council appointed a Select Committee on Education, but the House of Assembly practically ignored the Legislative Council and its Select Committee by doing everything possible to avoid the issue. Members of the Legislative Council called for a free vote in the House of Assembly "to let each locality vote on the issue" if subdivision was being contemplated (The Newfoundlander, 1871, March 21). The Honourable T. Talbot, speaking in the Legislative Council and chastising the House of Assembly for its delay in subdividing the grants, gave the arguments that have often been used by Protestant denominations in education in Newfoundland over the past 100 years:

> From the character of the population of this country, and the various denominations into which it is divided, if the Roman Catholics are entitled to receive their separate share of the education grant, by the same role of justice, the Church of England or any other denomination is also entitled to their share to dispose of as they may think proper (Newfoundland Legislative Council Journal 1871, March 6).

The division of Protestant school districts and government grants became a real possibility in 1874 when Frederick B. T. Carter formed a government by uniting the Roman Catholics and the Protestants. As the Anglicans no longer depended on the Methodists to form a government, and as the Catholic members did not consider it their concern that the grant for non-Roman Catholic schools be subdivided, the representatives of the Anglican group again put forth their claims to the House of Assembly (Prowse 1895, p. 572). One of the first motions of the new government was "for the appointment of a Select Committee to consider and make arrangements for a subdivision of the Protestant Education grant upon an equitable basis" (Newfoundland House of Assembly Journal 1874, February 13). Again the same arguments for and against subdivision were put forth, especially in regard to the resultant proliferation of boards but, after 30 years of bickering about this question, "a general desire of amicable settlement of this long vexed question" was evident (The Newfoundlander 1874, April 24). The bill passed the House of Assembly "by gentlemen's agreement". In the Legislative Council, opponents lambasted the Bill for its consequences to "generations yet unborn" (Newfoundland Legislative Council Journal 1874, April 22) who would be deprived of an education because of a fragmented system and one group vying against another, when all should be united in the cause of education. Others hoped that the Select Committee on Education might be able to see the implications for the future and do something to modify the Bill. In his final address to the chair, the Honourable M. Stabb summed up the feelings of those opposed to the action, thus:

> Many in this Council would live to see the day when those now urging on this work will regret that it was ever consummated; in St. John's its efforts may not be immediately or very largely felt, but in the small communities, besides lessening the efficiency of schools it will engender a spirit of dislike and hostility amongst children growing up as neighbours (Newfoundland Legislative Council Journal 1874, April 22).

The bill for subdivision finally passed both Houses and government moneys allotted to the education of non-Roman Catholics were henceforth to be divided among the various Protestant denominations according to population and boards for the administering of these funds were to be set up for each Protestant denomination in each district. "Denomination" was defined as "a body of Christian men having a visible church that is an erection for purposes of worship" (Newfoundland Legislative Council Journal 1874, April 24). With the passing of the new education bill "a scramble" for the construction of "visible churches" and school houses, accompanied by the setting up of separate Protestant boards for each non-Roman Catholic denomination, began.

The increased costs of providing education through subdivision had not been anticipated by the Carter Administration. The Government found in 1875 that it had to borrow money "to be invested in school houses and property ... found necessary on account of the subdivision of the educational grants to allow the purchase of school buildings from the minority of either of the religious bodies by the majority in districts where a majority of either denomination affected by the subdivision exists" (Newfoundland Legislative Council Journal 1875, April 16). There were four main financial costs in the subdivision of grants: (1) the purchasing of schools from the minority by the majority; (2) the building and supplying of new schools for the minorities; (3) paying the costs of new teachers required; and (4) paying the Roman Catholic denomination (which demanded and received) an amount for education equal to the increased amounts received by the Protestant denominations as a result of the increased costs involved in subdivision, plus its regular allocations. All in both Houses decried the increased costs which only a few had anticipated. Typical statements of disappointments in the Legislative Council were expressed thus:

> "This is a commencement of troubles everyone should have foreseen as a result of the subdivision of the Protestant portion of the grant."
>
> "One of its (subdivision's) effects will be to establish two schoolmasters and two schools in small settlements where heretofore there was but one and sow the seeds of division where before were union and harmony."

What happened to the educational structures and school board districts after 1874? Where before there had been one Protestant board for each electoral district, now separate Protestant denominational boards were set up in each district for each of the Anglican and Methodist denominations, while the Congregational Church and the Free Church of Scotland were permitted two school districts each, and the Kirk of Scotland was to have one board for that part of the Island represented in the House of Assembly. The course was set for any Protestant denomination with a visible church to set up its own schools supported by government funds, thus leading to a profusion of small separate school boards with overlapping jurisdictions. The members of these new school boards were to be appointed by the Governor on the advice of the clergy of the Protestant denomination concerned. However, because the Congregational Church, the Kirk of Scotland, and the Free Church of Scotland found that their numbers did not warrant the setting up of separate boards in the various districts, these denominations did not push their claims for separate schools.

The number of Protestant denominations recognized for educational purposes grew over the years. By the 1890s another Protestant group, the Salvation Army, demanded its share of the grants for education, so that in 1892 this new denomination was recognized for educational purposes and proceeded to set up educational districts for its denomination throughout the colony wherever a visible church could be established. Between 1954 and 1956 the Pentecostal Assemblies were included in the denominational system for educational purposes. Instead of setting up separate boards for each district or assembly, it created one central Pentecostal Assemblies Board of Education with various local committees throughout the province. The Seventh Day Adventists, another Protestant group, set up schools in various parts of the Island with its school board and church-appointed representatives.

At the beginning of the 20th century many Protestants were worried about the fragmentation that had taken place in education since 1874. Those critics felt that there should be some way for these Protestants to set up "common", "protestant", or "amalgamated" schools. However, such an issue would have great political reverberations and repercussions, as the various denominations were now very much entrenched in the system and did not want to give up their rights and privileges. To show that the Government recognized the problem of fragmented educational services to Protestant groups and to circumvent some obvious weaknesses in the denominational system as it applied to the Protestant groups, the Government in 1903 passed legislation enabling the establishment of "amalgamated schools", that is, common or consolidated schools "in sparsely populated settlements where the number of children would not warrant the establishment of separate schools" (Newfoundland Education Act 1918). This was a very ineffectual piece of legislation, as the denominations had by now become very jealous of their rights for their own schools and according to the educational regulations only 11 pupils were needed to form a separate denominational school. Most denominations could garner 11 pupils to form a denominational school of their own. The legislation was too restrictive to ameliorate the problem of small separate boards with scattered ineffective schools. Meanwhile, during the period 1910 to 1930, the two large pulp and paper companies at Grand Falls and Corner Brook had set up "common" or "amalgamated" schools in these industrial towns. Because of the paper companies' insistence that these "amalgamated" schools were being operated for the benefits of the mill workers, the Government turned a blind eye to these educational arrangements which were in fact "ultra vires" of the Education Act. However, 10 years after Newfoundland lost responsible government, the Commission of Government, consisting of three Commissioners from England and three Newfoundlanders, legalized these educational arrangements and enabled other "amalgamated" schools to be set up by changing the Act regarding amalgamated schools to read:

> Any school boards of different denominations that have districts coinciding geographically in whole or in part may make arrangements for the establishment and maintenance of an amalgamated school in any locality within their common area (The Education Act (Amendment) 1943).

The year was 1943 - exactly 100 years after the first division of grants for education to denominational boards.

This permission or right to establish "amalgamated", "common", or "consolidated" schools and school boards granted by the amendment of 1943 is very important to Newfoundland, because the subsequent terms of Union of Newfoundland with Canada in 1949 ensured the protection of this right of denominations to come together to form common or amalgamated schools. Term 17 of the terms of union states:

> In and for the province of Newfoundland, the Legislature shall have exclusive authority to make laws in relation to education but the Legislature will not have authority to make laws prejudicially affecting any right or privilege with respect to denominational schools, common (amalgamated) schools or denominational colleges, that any class or classes of persons have by law in Newfoundland at the date of Union ...

The right of denominations to share under common boards as granted in 1943 was thus guaranteed by the terms of union. The number of amalgamated schools continued to grow, especially in new areas of industrial expansion, such as Grand Falls, Corner Brook, Stephenville, Gander, Labrador City, and Wabush. These "consolidated", "common", or "amalgamated" schools became so effective in regard to educational productivity that, throughout the province, Protestant denominations began to question and discuss whether they should continue in their separate ways or unite to provide the best education possible for their children. There was such a ferment and desire among the people to unite for the benefits of education that the government could no longer ignore the demands.

In 1965 there were over 300 school boards of seven separate religious denominations operating schools in Newfoundland. These local boards under the various denominations had very little power, authority, or responsibility for education, because most of the decisions regarding educational administration were made by their respective denominational superintendents in a central office in the Newfoundland Department of Education. For the most part, these denominational boards existed in name only.

In the late 1960s, congruent and concurrent with the people's demands, great changes in consolidation of the education systems were made. As far as can be ascertained from an examination of the communications media reports of that period, the desire of most people was for a return to the dual system of education (similar to that which existed prior to 1876). This would bring together the various Protestant groups which had been going their separate ways since that time. It would mean consolidating the Roman Catholic boards and schools into viable effective units under the guidance and protection of that denomination, and amalgamating and consolidating the boards and schools of the other denominations into viable effective units in one group for common educational purposes. The results of the efforts of the 1960s were:

1. Some 300 boards became consolidated into 35 boards.

2. Some 200 Protestant boards under Anglican, United Church, Salvation Army, and Presbyterian denominations became consolidated under 21 Integrated Boards.

3. The Roman Catholic denomination consolidated its approximately 100 boards into 12 Roman Catholic school district boards.

4. The Pentecostal Assemblies and the Seventh-Day Adventist denominations decided to stay outside the integrated group of denominations and form one school board each for the operation of its own school. There were thus four denominations or groups of denominations recognized for educational purposes:

Roman Catholics	- 12 boards
Integrated	- 21 boards
Pentecostalists	- 1 board
Seventh-Day Adventists	- 1 board

5. The churches exercised their partnership in the education system through their particular Denominational Education Council of which there are three: the Catholic Education Council, the Integrated Education Council, and the Pentecostal Education Council. The role of these Councils includes:

   (a) determining how and where money will be spent for new school buildings, extensions, and equipment;
   (b) recommending to Government the establishment and alteration of school district boundaries;
   (c) recommending to Government the appointment of school board members;
   (d) recommending the initial certification of teachers;
   (e) developing and prescribing religious education programs.

SCHOOL BOARD FUNCTIONING AFTER 1969

As Dr. Fred Rowe (a former Minister of Education) in his preamble to the Schools Act (1969) has stated, a revolutionary step of the time "was the decision of the churches unilaterally and collectively, and with the entire co-operation of the Government, to consolidate their school boards either within the framework of a particular church or with a group of churches acting in concert." Through this concerted effort the number of school boards was condensed from 309 to 35 with the stipulations that every school board must have at least 2000 pupils enrolled in its schools; boards must be duly constituted with their members selected as set out in the Schools Act (1969) and amendments thereto. The school districts which, as was noted, exist for religious denominations or groups of denominations, must have school board members of the same religious denomination(s) as the group or group of denominations for which the board was created. However, a board may have one appointed member from another religious denomination if the number of children attending its schools from that other denomination so warrants. These members were usually appointed through the nomination of individuals by the church or churches concerned. In 1970 the Schools Act was amended to provide for the "selection by election" of at least one-third of the board members, but the proper Education Council was required to recommend the appointment of any person selected by election as a member of such school board.

To ascertain the composition of school boards in Newfoundland and Labrador as a result of legislation and regulations passed since 1969, a group of graduate students of educational administration recently analysed the 35 school boards in operation in Newfoundland during the period May 1982 to November 1985. The following is an analysis of the findings of that survey.

Analysis of School Board Representation in Newfoundland and Labrador (1982-85)

Each of the 35 school boards in Newfoundland and Labrador was visited and either the Chairperson, Superintendent, or Business Manager was interviewed to ascertain the following information:

Part A - The Composition of School Boards

1. The number of school board (trustees) members on each board.
2. The number of board trustees appointed directly (that is, the number not selected by election).
3. Whom those appointed board members (trustees) represent.
4. Their term of office.
5. The number of board trustees elected, that is, selected by election.
6. Whom the elected school trustees represent: that is, do they represent wards, committees, parishes, home and school associations, or others?
7. When board members (trustees) are elected (selected by election).
8. How school trustees are elected or selected by election.
9. The term of office of those selected by election.

Part B - Strengths and Weaknesses of the Present Distribution

What are the strengths and weaknesses of the present distribution of "appointed" and "elected" school board members (trustees)? To ascertain these views, school board trustees were interviewed and their views recorded.

THE RESULTS OF THE SURVEY

All of the 21 Integrated School Boards, the 12 Roman Catholic School Boards, and the Pentecostalist School Board were included in the survey. The following summary presents a picture of school board representation in Newfoundland during the four-year period from May 1982 to October 1985 (that is, the period immediately previous to the "selection by election" of school board members in November 1985).

The Integrated School Boards (representing the Anglican, United, Salvation Army, Presbyterian, and Moravian Mission churches)

1. Number of trustees on the board. The average number of board members was 18, with table officers consisting of a chairperson, vice-chairperson, treasurer, and secretary.
2. Number of trustees appointed.

All school board member trustees under the Integrated system were appointed by the Lieutenant-Governor-in-Council on the advice of the Integrated Education Council which represents the various churches for that group of boards. However, some appointees are direct church appointments representing the various churches in the group, i.e., the Anglican, United, Salvation Army, or any other denominational group for which the board was established in the district. These are selected by the churches, approved by the Integrated Denominational Council, and then appointed by the Lieutenant-Governor-in-Council through the Minister of Education. Eight to nine other board members for each board were selected through nomination by board chairmen, other board members, or by some church authority. These were generally approved by the other board members, approved and recommended by the Integrated Denominational Council, and appointed by the Lieutenant-Governor-in-Council through the Minister of Education. In the interviews with board members, many found difficulty in explaining the process of being selected for the school board; some felt that they were church appointees even if they were not the "official" church representative. The "appointed" board members were appointed for four years; generally they serve for two consecutive terms.

As was noted earlier, according to the Schools Act (1970) the school board "shall provide for 'selection by election' of at least one-third of such members." In all cases, one-third of the school trustees was selected for a four-year term in this way, although in the majority of cases the "selection by election" really amounted to being nominated by five to ten persons in the district, with no other candidate opposing them, and thus being declared "elected" by acclamation. In these cases the names of such persons "acclaimed" were sent to the Integrated

Education Council for ratification by the Lieutenant-Governor-in-Council through the Minister of Education. In all cases, those candidates "selected by election" represented wards or regions into which the denominational educational district had been divided. The candidates for "selection by election" had to be 18 years of age and ordinarily a Canadian or British subject resident in the District on the day of election. In all cases, the number of votes cast in the case of a trustee "selected by election" was a very small proportion of the electorate, usually a few hundred votes garnered from Home and School or Parent-Teacher organizations or a group from the ward or community. The majority of "elected" members had been selected by acclamation, that is, elected with no opponent.

The Roman Catholic Boards

The average number of trustees was 17, all of whom were appointed by the Lieutenant-Governor-in-Council through the Minister of Education, after approval and recommendation by the Catholic Education Council. All members of the school board were Church appointments, that is, they must represent the Church in education. The appointed members included the priests in charge of each parish within the school district and lay representatives of the Church from each parish, as well as those who were selected by election. Six of the board members in each school district were selected by election. This process, through a democratic election of Church-approved candidates, where congregations of each parish vote for the candidate of their choice, is one appropriate method of selection because there is only one denomination involved and parishioners being close to the candidates and the local issues are in a good position to know who will best represent them. These members represented the views of the people in their parish or zone for a term of four years.

In summary then, the trustees on Roman Catholic school boards were selected as follows:

- five to six were nominated by the Ordinary of the Diocese, one for each zone, ward, or parish. These trustees were usually the priests of the parish.

- five or six were appointed by the parish at parish meetings or by parish councils.

- six trustees were "selected by election", nominated, and elected through the process as described and as set out in School Board Election Regulations, 1976.

The method of selection did vary among districts; for example, in some districts six members were appointed by the Bishop of the Diocese in consultation with the parish priests. Whatever the methods of selection, all Roman Catholic board members must represent the Church and the church people in regard to educational matters. In areas where a large proportion of non-Roman Catholics attend a Roman Catholic schoool, a non-Roman Catholic trustee may be appointed. Again, whatever the method of selection, all members must be approved by the Ordinary of the Diocese or Archdiocese, then approved by the Catholic Education Council which recommends those members to the Minister of Education for ratification by the Lieutenant-Governor-in-Council.

The Advantages of the Present Method of Representation (May 1982 to November 1985) According to the Integrated Group of Boards

Those interviewed from the Integrated Group of Boards perceived the following advantages in the present system:

1. Through representation from each of the participating denominations in the integrated group, the rights and privileges of each church can be assured.

2. The appointed members, those 12 not selected by election, are able to work well with administrators, that is, superintendents, business managers, and other central office staff because their philosophies are known.

3. Appointed members are less partisan in considering the overall needs of the district.

4. Competent and well-educated board members can be selected through appointment.

5. The present method of selection provides opportunity for representation from every part of the community in the district.

6. The method of selection and representation ensures that the board always has a full complement of members.

7. When "selection by election" fails, a "good" candidate can always be appointed through a recommendation from the board.

The Disadvantages of the Present Method of Representation (May 1982 to November 1985) According to the Integrated Group of Boards

Those interviewed from the Integrated Group of Boards perceived the following disadvantages in the present system of representation:

1. Those "selected by election" are for the most part not "elected". Most are "elected by acclamation", with no opponents. Those who are elected garner only a few hundred votes so that it is difficult to ascertain whom they represent.

2. No member is really responsible to any electorate through a ballot.

3. Because of so little opportunity for local input, it is very difficult to ascertain the wishes of people in the locality. When perceived problems arise, people can only "grumble" without finding redress.

4. The churches exert too much influence in determining who should be on a board.

5. The proportion of board members selected by election is too small.

The Advantages of the Present Method of Representation (May 1982 to November 1985) According to Interviews with Members of the Roman Catholic Boards

Those interviewed from the Roman Catholic School Boards perceived the following advantages in the present system:

1. The system ensures that the Roman Catholic Church can exercise responsibility for the care and nurture of its people.

2. The views of all members of the Church can be considered.

3. The method of selection guarantees that the Church can have the kind of schools it wants.

4. It ensures a balanced relationship between the Church and the State.

5. The Church, parish people, the community, and the school can work together.

6. It enables the priests of the church to assume their rightful place on the board in guiding education for its people.

7. Each parish, zone, or part of the local community can be fairly and equally represented.

8. The present method of selection provides the means to get the best-educated, the most-professional, and the most-devoted to Christian Education on the school board.

9. Those who are appointed to the boards either through the Ordinary of the Diocese, the recommendations of the parishes, or "selection by election" in the parishes are the ones who know and understand the specific needs of the parish or zone.

10. Through the present method of representation, boards can be fully staffed at all times by loyal, experienced, and desirable trustees.

11. The services of competent people, who would not be available on a political basis can be obtained.

12. There is a careful screening to ensure that the most suitable individuals are selected for recommendation for appointment.

13. If the numbers of non-Roman Catholic adherents warrant, a non-Roman Catholic member can be recommended for appointment.

The Disadvantages of the Present Method of Representation (May 1982 to November 1985) According to the Perceptions of Members of the Roman Catholic School Boards

Those interviewed from the Roman Catholic School Boards perceived the following disadvantages in the present system of representation:

1. The basis for "selection by election" is too narrow. A greater proportion of members representing the Roman Catholic community should be elected by a wider electorate.

2. At present, local people have very little say in the affairs of school boards.

3. Because school board elections are independent of other elections, organization for balloting is difficult. "Selection by election" should be tied to municipal elections.

4. Because of the mobility of professional people there is a large turnover of school trustees; greater continuity is needed.

5. The screening used in selecting persons for appointment may eliminate strong candidates.

REFORMS IN THE STRUCTURE OF GOVERNANCE

The data of this research were gathered before the recent school board elections (November 12, 1985). The foregoing description presents a picture of the composition of school boards up to that time. The changes which have taken place as a result of recent amendments to the Schools Act and School Board Election Regulations leading to the school board election of November 1985 should be noted.

On December 19, 1984, the Schools Act was amended to provide for the "selection by election, subject to the regulations" of at least two-thirds of board members, and for the general election of members "selected by election" to take place on the same day that the general elections in municipalities take place. The result of this change in the Schools Act was that all school boards throughout the province began to make arrangements to have at least two-thirds of its members elected by co-ordinating, where possible, the "selection by election" of school board members with the procedures, facilities, and mechanisms which were already in place for municipal elections.

Because of the changes in the Schools Act, changes in the constitution of the various denominational school boards were necessary. As the Schools Act states that a school board be constituted subject to the requirement that members of a board must be persons "of the same religious denomination or religious denominations as that or those for which the district was established", the three Denominational Councils recommended to their respective school boards "that their constitutions be amended so that persons who are elected must be adherents of one of the participating denominations" (Integrated Denominational Council 1985, March 8). All the school boards consequently revised their constitutions accordingly; and the elections took place on November the 12th, 1985, with the result that two-thirds of the board members (who were adherents of the participating denominations) were selected by election. The voter turnout for the elections was at least 50 times any previous turnout for school board elections in Newfoundland and Labrador. Those selected by election will be recommended for appointment to the appropriate Denominational Education Council which will in turn make recommendation to the Minister of Education for appointment to the appropriate board. The remaining members of the boards will be selected by the appropriate church authorities and recommended to the Denominational Education Councils and thence to the Lieutenant-Governor-in-Council through the Minister of Education.

Although this paper does not deal with the composition of the new boards nor the representation and functioning of the new members who have been selected by election, to a greater extent than ever before in the history of school boards in Newfoundland and Labrador, democratization and public participation are on the upsurge. It is evident that efforts are being made to bring the denominational system of education closer to the people it serves.

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11. SCHOOL TRUSTEE ELECTION BASES: THE CASE OF NEW BRUNSWICK

- Robin J. Enns and Valerie M. O'Hara

INTRODUCTION

The purposes of the present study are:

1. to examine the basic philosophical issues related to the question of what or who school trustees should represent; and
2. to describe the New Brunswick method for the allocation of representation.

The authors of this study of New Brunswick are of the opinion that such a study must be undertaken within the context of educational policy making as it is taking place. It is the experience of education as lived by the province's citizens that underlies the "basic philosophical issues concerning who or what school trustees should represent". The authors have personal experience with education - one as an elected school trustee in a large New Brunswick school district, the other as a school administrator and teacher in that district. Thus both have had constant, day-to-day experience with interpreting and supplying education for the New Brunswick public.

METHOD AND LIMITS

A computer search for available materials was not conducted because a preliminary manual search of the available literature on trustee representation in New Brunswick revealed very little. Subsequent discussion with knowledgeable persons in the Faculties of Education at the Université de Moncton and the University of New Brunswick, as well as with individuals having long experience with New Brunswick education in the provincial Department of Education and Teachers Association, indicated that the best, and apparently only, sources of this information were provincial government-sponsored educational inquiries, and Department of Education annual reports. Even these documents produced few specifics on trustee representation, with the result that the analysis of the literature was broadened to a search for "anything to do with trustees". The intent behind the broadened search was to permit the authors to draw inferences concerning trustee representation.

The paucity of coherent materials of either scholarly or popular nature on the topic under study, related specifically to New Brunswick, was of concern to the authors. While we use the term "historical background", we are aware that it is less a history, in the step-by-step chronological sense, and more an overview of references to trustee selection and responsibilities.[1]

The chapter begins with a chronological overview, the results of a review of literature from 1802 to 1979. Following that is an analysis of present considerations. Finally, in the Conclusion, the authors offer their opinions concerning the basis of trustee selection. These opinions have been developed during the study, as well as through their personal experiences with trusteeship, governance, and administration.

THE HISTORICAL BACKGROUND

There was little information about trustees generally nor bases of election specifically in materials concerning pre-Confederation New Brunswick. The first Schools Act in New Brunswick was passed in 1802, "An Act for Aiding and Encouraging Parish Schools". From this point, trustees were appointed by Justices of the Peace, and had the responsibilities of overseeing all of the schools of the parish (McNaughton 1947). The basis of selection is not indicated.

The Schools Act of 1837 paved the way for a central authority County Board.[2] County Boards were instructed to investigate the "character, learning, and loyalty of prospective teachers" (McNaughton 1947, p. 90). In 1842 it was decided that trustees' reports would go to a committee on education appointed by the New Brunwsick Legislative Assembly (p. 95). In 1845 a special inspection of all schools in the province "exposed the truth about school buildings, teachers, texts, and school attendance" (p. 99). As a result of this exposure, inspectors recommended that the power of trustees should be expanded, with the additional provision that inspectors were to aid trustees in their duties.

The Grammar School Act of 1846 required trustees to inspect schools every six months and to send complete reports on teachers and schools to the Provincial Secretary for the information of the Government. The Parish School Act of 1847 constituted a provincial Board of Education consisting of the Lieutenant-Governor and the Executive Council. This Board established a training and model school which, in 1848, became the New Brunswick Normal School.

The Bill of 1852 - an Act for the Better Establishment and Maintenance of the Parish Schools - brought with it a Superintendent of Education as Secretary to the Board of Education, and county inspectors who were required to inspect schools four times a year. The effect of this was to minimize trustees' inspectional roles. The same Bill permitted parishes or "Districts" (the present-day governance term) to assess themselves for the support of their schools.

McNaughton (1947, p. 151) notes that, in 1853, reports to the Superintendent of Schools showed that school inspectors generally complained of the negligence and selfishness of trustees concerning the boundaries of school districts. Complaints indicated that trustees were being selected in direct opposition to their predecessors, for the purpose of altering the location of school districts.

McNaughton (1947, p. 165) notes that in the mid-1850s, many trustees were satisfied with a partial or perfunctory performance of their duties, or frankly neglected them altogether. She continues that the indifference of the trustees was "but a reflection of the apathy of the people in general".

In 1858 the basis for appointment of trustees by Justices of the Peace was changed. New arrangements provided that trustees of schools were to be elected annually in each town or parish, at the same time and in the same manner as other town or parish officers, and were to be subject to the same penalties for neglect or refusal to act, or for the non-performance of their duties. If, however, a town or parish failed to elect trustees, they were to be appointed as usual. In incorporated towns, cities, or counties, the Council was to appoint the trustees.

Trustees continued to exercise many of the same duties that the previous Act had laid down - to obtain information on: the teacher, books, apparatus, branches of education taught, size and features of buildings, suitability of furniture, nature and extent of religious instruction, mode of discipline, manner of teaching, and general condition of the school. While trustees continued to be responsible for all of the schools in their parish, some of their former duties now devolved on local School Committees. Such committees were to be elected by the ratepayers of the District at an annual meeting called by the trustees on a notice of seven days (McNaughton 1947, p. 167).

Post-Confederation

The year 1871 marked the Common Schools Act of New Brunswick. In the terms of this Act, trustees were elected for a local school district, but were responsible for one school only. If a district did not elect its trustees, the Inspectors of Schools were charged with the responsibilities of choosing trustees. The trustees of a school received $20 a year for every qualified teacher employed in the school.

In 1877, however, trustees were no longer paid (Rand 1878). Each New Brunswick city and incorporated town had a board of school trustees consisting of seven members. The Chairman and two other members were appointed by the Governor-in-Council, and four other members were appointed by the city or town council. Each board had a salaried secretary, while two of them - Saint John and Portland - had "found it necessary to employ, in addition, each a local Superintendent" (Rand 1878, p. xxvii).

In 1891, the Province of New Brunswick was divided into six areas, "Inspectorals", each comprised of several counties and/or parts of counties, in which inspectors oversaw the operation of schools. Major cities and incorporated towns had boards of school trustees which submitted annual reports to the Chief Superintendent of Education. In 1894, the Report of Inspectoral District No. 4 to the Chief Superintendent contained the complaints that boards were misusing their power in hiring the teachers of their personal choice, and that trustees were not visiting schools often enough.

The Annual Report on New Brunswick Schools of 1895 provides a hint of the basis of trustee selection:

> Boards are composed of prominent business and professional men who render gratuitous service to the community, their only recompense being the satisfaction of knowing that they are promoting the best interest of present and future generations (Inch 1896, p. xx).

In 1896, the number of school boards increased to eight, with women also now being appointed as trustees. Inch "anticipated much advantage to the educational work in the cities and towns as the result of the appointment of women to the School Boards ...." (1896, p. lxi).

> By 1900, there were nine school boards composed of: leading citizens, both men and women, selected in part by the Governor-in-Council and in part by City or Town Councils. Their duties are delicate and onerous. To discharge them properly requires much time, the closest attention, the exercise of the highest intelligence and the most unselfish devotion to the best interest of society. These services are rendered gratuitously (Inch 1900, p. lv).

By 1929, there were 15 boards, each having a different number of trustees (Carter 1929). The main reason for the differences appears to be size of population being served. For example, Saint John had 11 trustees, five appointed by the Lieutenant-Governor-in-Council and six appointed by the City council; Fredericton, Moncton, and Chatham each had nine trustees with four appointed by the Lieutenant-Governor-inCouncil and five appointed by the municipal councils.

The 1936 report from Inspectoral No. 9 noted that problems with trustees continued: trustees needed to better understand the powers and duties of Boards of Trustees; boards held meetings too seldom or not at all; trustees were not present at Annual Meetings; and trustees did not visit schools often enough.

In 1943, the County Schools Finance Act and the Rural School Assistance Act were adopted by the Legislature (Finn-Elliot 1979, p. 20). The former made provision for the county as the unit of school financing in rural New Brunswick. The "County Unit System", as it was called, was administered by a County School Finance Board of seven members, among whom three, including the chairman, were appointed by the Lieutenant-Governor-in-Council and four by the County Council. Members served for three-year overlapping terms.

A County Superintendent of Schools, employed by the Department of Education, acted in an advisory capacity to the County Finance Board. He was responsible for the supervision of all schools in the county and for advising and helping the trustees in the fulfilment of their responsibilities.

The Rural Schools Act, with the County Schools Finance Act, contributed to the consolidation of a large number of small school districts in New Brunswick (Finn-Elliot 1979, p. 23). These districts had a seven-member board of trustees; four were elected by ratepayers at the annual school meeting and three were appointed by the Lieutenant-Governor-in-Council. By 1962, all were elected.

Equal Opportunity

In 1962, the Byrne Commission (Royal Commission on Finance and Municipal Taxation) was appointed. Its recommendations led to legislation in 1966 and school system changes in 1967 - a new Schools Act was adopted as part of the Equal Opportunity Program of the government. The purpose was to provide equal educational opportunities to all children of the province, regardless of place of residence.

This system known as "global financing", is still in effect. It meant that the provincial government assumed full responsibility for the financing of all public schools in the province. Supplementary programs supported by local taxation were theoretically possible; but, by 1979, only one school board had been successful in obtaining the necessary voter approval. Under Equal Opportunity, County School Finance Boards and county councils were abolished and the 422 school districts in the province were disbanded and replaced by 33 new larger school districts (Finn-Elliot 1979, p. 24).

These new districts were administered by boards of trustees of 15 or 9 members, as determined by the Minister of Education. They were partly elected and partly appointed by the Lieutenant-Governor-in-Council. In 15-member boards, 9 were elected; in a 9-member board, six were elected. The rest were appointed.

Contrary to the previous system of electing trustees at a ratepayers' annual school meeting, the 1966 legislation provided for trustees to be elected on the same day as municipal council elections are held throughout the province. At first these were held every two years, but in 1971 the term was increased to three years. Elections are held the second Monday of May, the most recent having been held in 1983.

MacLeod-Pinet Report (1973)

In 1973, six years after the inception of a centrally administered school system, an *ad hoc* committee on educational planning was established by the Minister of Education to review the educational system of New Brunswick to determine if the education system was "sensitive to the needs of the present and the future" (Finn-Elliot 1979, p. 6).

As a result of this MacLeod-Pinet study, the Department of Education was reorganized in 1974 so as to provide for leadership and assistance in either of the two official languages of

New Brunswick. However, insofar as school district size was concerned, the report Education Tomorrow was not very specific. It stated that

> the Department encourage a move toward single district superintendencies with no increase in the present number (twenty-one) of superintendents and aim eventually to have districts large enough to provide an adequate range of services, but consistent with geographical and demographical factors (Finn-Elliott 1979, p. 7).

The Report also recommended the establishment of

> a permanent government boundaries commission to advise on district and intermediate level boundaries for all departments in order to advance co-ordination of services to citizens.

This request was repeated by various groups. Eventually, on April 5, 1978, the Finn-Elliot Committee was established.

The Finn-Eliott Report (1979)

On April 5, 1978, the Minister of Education established a Committee to

> review the organization and boundaries for all school districts in the province under the following terms of reference:
>
> (a) to conduct a study and make recommendations on the organization and boundaries of school districts taking into consideration the following factors:
>
> (i) geography
> (ii) demography
> (iii) language
> (iv) delivery of educational and administrative services
>
> (b) to make appropriate recommendations that may become necessary on the membership and duties of school boards as a result of recommendations made in paragraph (a) above.

While focusing on central versus local control of education, the Finn-Elliot report briefly discussed issues related to the basis of selection of school trustees. Finn and Elliot quote Warren (1974) on local control:

> ... the proponents of local control believe that the purposes of education and, indeed, of democracy are best served by a system that gives local citizens a reasonable part in establishing goals and policies for the schools. They suggest that school boards provide the basis for the accommodation of various regional, ethnic, and religious differences in educational outlook.

However, beyond this quotation, with the exception of the language issue (to be treated below), the Finn-Elliot report does not offer anything about trustees and the accommodation of electorate differences.

One might think that size of board (number of trustees) might have been determined by electorate characteristics, e.g., population density or geographical area. But, as Finn-Elliot note, "No general consensus on the proper size of a school board was obtained during the public hearings" (1979, p. 120).

Concerns instead centred on the deliberative difficulties experienced by large boards "as consensus is more difficult to obtain and frictions or divisions on the board frequently develop" (1979, p. 120).

Following this, Finn-Elliot allude to what may be the major reasons for the scant mention in any official documents of the basis of trustee selection. They say that "trustees of large boards serving small districts tend to adopt the attitude that they are the exclusive representatives of the area or community in which they reside, and consequently they become less interested in the entire district" (1979, p. 121).

They continue that this attitude may lead to parochialism which in turn may cause conflict and division among board members. "Such a situation impedes the making of impartial decisions and may even cause an impasse on some issues" (1979, p. 121).

They conclude that

> members of smaller boards have to represent a larger area and must therefore think in terms of the common good rather than of a particular community (1979, p. 121).

They recommended that school districts with enrolments of 10 000 pupils or more have a nine-member board and all other districts a seven-member board. This recommendation was not accepted. Changes were rather to have an 11-member or a nine-member board.

Thus it may be seen that in the interests of the "common good", these architects of recent New Brunswick educational governance do not advocate the principle of parochial representation for trustees. This seems to be a characteristic of New Brunswick's approach to educational problem solving. For example, in 1981, the members of the New Brunswick Manpower Adjustment Committee's advisory committee operated successfully by "considering themselves as knowledgeable individuals working on a common problem, and not as representatives, defending their associations' positions" (Enns 1982, p. 223).

Finn-Elliot mention other aspects peripherally related to trustee selection. On membership and remuneration, neither Ministry of Education employees nor employees of a particular board are eligible for trustee membership on that board. This is because of the potential for conflict of interest.

School trustees in New Brunswick have never been paid for their services (Finn-Elliot 1979, pp. 123-4). However, the 1871 Act did make provision for an honorarium of $20 per trustee per year. At present (1985), the Schools Act stipulates that trustees are to serve without pay, but that they will be reimbursed for reasonable travel expenses incurred while discharging their duties as school trustees. Finn-Elliot were

> not convinced that monetary remuneration for school trustees would attract better candidates. The contrary might very well happen. Fortunately for our country and province, there are still people interested enough in providing the best education for our children to serve on school boards without monetary reward (1979, p. 124).

Election vs. Appointment

Since 1967, of 15-member boards, nine were elected and six appointed, and of nine-member boards, six were elected while three were appointed. The practice of having partially elected and partially appointed boards was adopted "to give representation to groups too small in number to elect a representative to the board" (Finn-Elliot 1979, p. 127). Further, from 1967 to 1971, trustees were elected "at large" in all districts so that the chances for small communities or minority groups to elect a candidate on the board was very slim. From 1971, all school districts were divided into subdistricts or zones for the election of school trustees, with the exception of districts 19, 20, and 22.

In public hearings, the great majority of people favoured the election of all trustees, with appointments made only where the electoral process does not produce a trustee or where a vacancy occurs, and Finn-Elliot concurred: "in accordance with true democratic principles, we recommend that all trustees of school districts be elected."

Election by Zone or At-Large

On this question, Finn-Elliot favoured election at large, quoting Rideout (1950, p. 13) that better qualified men and women are obtained when elected at-large: members who "work for the interest of the entire district and not for the wards represented, and local prejudices no longer dominate the board" (Finn-Elliot 1979, p. 129).

Finn-Elliot also recommended that trustee candidates must reside in the zone in which they are running, even though their mandate is for the entire district.

Geography and Democracy

Finn-Elliot apparently viewed geography and demography as general considerations, without implications for stakeholder interest groups, because they recommended that the zones in each school district be established so as to obtain approximately the same average population representation by each school trustee in the district. They specifically stated, in support of this that

> preferably, there should be more than one seat per zone so as to eliminate the parochialism which tends to develop when there is only one seat per zone, and where as a result the elected member feels he represents the people of his zone and that he is obligated to speak on their behalf (Finn-Elliot 1979, pp. 129-30).

Time of Election

Given the opinion of the Municipal Elections Branch of the Department of Municipal Affairs that school trustee elections held at a different time from the municipal election would not necessarily bring more voters, as well as the cost of having separate trustee elections, Finn-Elliot recommended retaining trustee elections at the same time as municipal elections.

Election in Overlapping Districts

Some New Brunswick districts are coterminous, while others overlap partly, because of language differences. Elections in these districts present some difficulties because two boards, one English and one French, are elected the same day. Voters in Moncton are given the choice of a ballot for whichever board they choose. Finn-Elliot stated that this infringed on the voters' right to secrecy. They recommend "another method be used so the voter is not compelled to declare for which board he wants to vote" (1979, p. 133). No such method had been found by the time of the 1983 elections. A study on this point was commissioned by the Department of Education. The report, submitted in January 1985, has not been released. However, recommendations of the Association des commissaires francophones du Nouveau-Brunswick (Francophone school trustees association) have been made available to the authors. These are:

> Toute candidature à un poste de conseiller, conseillère scolaire d'un conseil scolaire francophone sera appuyée de la signature de dix personnes ayant un ou des enfants inscrits à une école administrée par un district scolaire francophone.[3]
>
> Afin d'éviter qu'un conseil scolaire se fasse élir par acclamation dans le but de pouvoir voter pour l'autre conseil scolaire, on demande aux électeurs de choisir leur conseil scolaire lors du recensement (Richard 1985).[4]

Vacancies

Vacancies within a district (not a zone) are recommended to be filled (Finn-Elliot 1979, p. 137) by the Minister of Education rather than by the Lieutenant-Governor-in-Council within two months after the seat has been declared vacant by the board; it is recommended that the appointment be made from a list of three names to be submitted by the Board within one month after the seat has been declared vacant.

Native Minorities

The only minority with any separate representation status in New Brunswick is the Native Canadian. On September 12, 1975, according to an agreement of Federal and Provincial governments, New Brunswick must provide for Native representation on Boards of Trustees of Districts 3, 8, 11, 25, 26, 29, 31, and 33 upon recommendation of the appropriate Band Council.

This agreement respecting Native education provided also for a Provincial Indian Education Advisory Committee composed of one Provincial, one Federal, and two Native Canadian representatives to look after education of Native Canadian children.

Finn-Elliot (1979, pp. 138-9) noted that this arrangement was not a success because of "poor attendance" by the Native Canadian representative on the board. Hence, they recommended that when the 1975 agreement is to be renegotiated, the clause dealing with the Native Canadian representative be revised so as to provide better liaison between Indian Band Councils and school boards.

THE LANGUAGE ISSUE

Full treatment of the language issue in New Brunswick is beyond the scope of this report. Finn-Elliot (1979, p. 40) comment that "the question of bilingual versus unilingual schools has been a subject of much controversy over the past few years." Treatment in the present report is limited to trustee as opposed to school functioning. Finn-Elliot (1979, p. 42) remark that

> from the year 1871 on, school trustees in predominantly French-speaking communities were French-speaking and meetings of school boards, as well as the meetings of ratepayers, were conducted in French, although all documents from the Department (of Education) were in the English language only. However, in communities with mixed population, where English-speaking trustees were elected to school boards, in most cases, if not all, deliberations of the boards were conducted in English.

This situation has continued over the years until the advent of simultaneous translation. This was viewed as costly, and too limited, because subcommittee meetings of boards did not use it. Since 1967, with the advent of "bilingual districts" and schools, all board documentation, such as meeting minutes and reports, had to be produced in both languages or translated, a time-consuming process.

By 1979, bilingual districts numbered only four. In keeping with this trend, over 75 per cent of briefs received by Finn-Elliot making reference to language recommended the application of dualism, that is, separate unilingual districts for the same geographical area. This principle of dualism was recommended as a general solution to New Brunswick's linguistic problems in the Poirier-Bastarache Report (1982), over which there was so much controversy when it was released and discussed in 1984. But even the term "dualism" was misunderstood by the two linguistic groups that might have espoused it. Francophones viewed it as liberating; Anglophones as dividing.

This principle had been recognized by the Department of Education in the establishment of its two parallel educational services divisions and in other areas, such as universities and Teachers, Trustees, and Home and School associations. This principle was recommended by Finn-Elliot for school districts (1979, p. 55). It is on this basis that districts operate at present. As such, trustees operate in the first language of the districts and are elected for that district. The question of who should elect them is under study, with the recommendations of the Francophone trustees' association noted above under "overlapping districts".

RECENT REFORM

In 1983, the Provincial Government created an Office of Government Reform to take stock of government programs and reassess whether they still served the purpose for which they were created. Richard Hatfield, the provincial Premier, stated in the throne speech debate that the reform process was to "determine ... where improvements in organizations will improve effectiveness" (MacDonald 1985).

Office of Government Reform

The Office of Government Reform (OGRE), in April 1985, released and disseminated some 15 documents on Provincial Government intentions regarding education. These documents were not "white papers" inviting further consultation by the groups to be affected. They had already been approved by the Provincial Government Cabinet. What remained was implementation.

One of these documents applies to educational governance: "Working Paper on Roles and Relationships: The Department of Education and School Boards". The Introduction makes the point that both the Department of Education and the Boards see the need to redefine their intended partnership. It continues that the Boards have expressed concern over the ever-growing tendency of the Department to regulate the Boards' operations. Even so, the Department argues that in times of restraint it is necessary to tighten up all aspects of administration. The Introduction promises recommendations for improving relations between the two partners for the administration of public education.

In a "current situation overview", the document notes that there are 41 school districts in New Brunswick; all school trustees are elected except members of minority boards who will be elected at the 1986 May elections; boards are not responsible for raising funds for district operations; total district budget is provided by the Department (this is not 100 per cent correct, as in District 15 - Moncton - a total of over $100 000 was contributed in 1984-1985 to various schools' budgets by the Home & School Association) (Hurd 1985). Boards' responsibilities are stated as: hiring and firing of staff for positions approved by the Department; placement of students in classrooms and schools; and administering assigned budget within Department guidelines. The Minister is accountable to the Legislature for: all educational services provided throughout the province; school boards' operations; and the Department's budget.

Specific issues and problems relating to representation are discussed in the document. There is no fiscal responsibility to the public at the school board level. Yet, elected school board members are accountable for their positions to the local electorate. Furthermore, board members represent specific areas within the school district. It is therefore difficult for trustees to feel any allegiance to the Minister, to whom they are accountable legally in relation to financial and program matters, when the general mandate from their electorate is to obtain the most possible for the district. The OGRE document notes that this makes an argument for not having two levels of elected representatives to administer one program.

Other issues are differences across districts in the curriculum delivered, and related to this, differences in geographical size, population concentration, and availability of supervisory personnel.

The OGRE paper makes an argument for having appointed boards as opposed to elected boards. Its authors write that "school boards and their staff essentially perform a managerial/program implementation function, not a policy making function" (1985, p. 5). We note, however, that emphasis, in trustee in-service programs and at trustee conferences, is on the need to separate trustees' functions from those of their staffs. Trustees are responsible for local educational policy making while their professional staffs are responsible for advising on policies and for implementation and subsequent evaluation of these policies.

The document continues that in fields outside education, boards tend to be appointed. "The most obvious advantage is most certainly that these appointed boards feel less public pressure and can make decisions freely in unpopular situations" (1985, p. 5).

The rationale for having boards, according to OGRE, is that the Department needed local input and a local authority that was close to the people. Although ultimately responsible and accountable to the Minister, boards were to be "partners" with the Minister, sharing some authority for the administration of the Department's programs and their assigned budget" (1985, p. 5). The board's view, presented in briefs during the public consultation period, was that the Department was steadily eroding the boards' autonomy. The OGRE response was:

> since the Minister is accountable for all the educational services provided in the province, it is necessary to establish clear, detailed administrative controls to help ensure uniformity, operational efficiency, and sound administrative practices (1985, p. 6).

The OGRE analysis concludes with the statement that the "real challenge" is to define an effective partnership between Minister and boards, which defines and clarifies roles and which is based on co-operation rather than conflict.

The OGRE authors list some proposed actions concerning their concept of the Department of Education's roles (designing, funding, and monitoring) and the Board's roles (how to use assigned resources, to implement provincial programs, and to set priorities). The Department of Education, starting in May 1985, the month following the release of the OGRE report, began to implement the changes in government roles and functions. Details are included in Appendix 11.3.

CONCLUSION

What of the basis of trustee selection in New Brunswick in 1985 and into the future? Nineteen eighty-six is an election year. It seems unlikely that anything to disturb the status quo (all trustees elected in municipal zones but "representing" and responsible for, and to, the entire district) will be undertaken prior to the May elections.

The philosophical basis of trustee selection remains as it has evolved since 1802, one of general democratic principles. Eligibility is determined solely as follows: a candidate must have passed his/her 18th birthday; is and has been a resident of the electoral zone or subdistrict for which she or he is offering for a period of at least one year prior to the election; is not employed by the school board for which she or he seeks election; and is not employed by the Department of Education (Pamphlet ISBN 0-88838-459-9, 1983).

Further, in regard to responsibilities of a trustee, the person is required to make the declaration of office, pledging to discharge faithfully the duties of the office of school trustee; offer his/her services without pay; attend the regular monthly meetings and any other special meetings of the board; attend meetings of the committees to which she or he is appointed; defend the interest of the entire school population of the district, not only those of the pupils in the zone or subdistrict she or he represents; disclose to the school board any personal interest which might give rise to conflict during negotiation of a contract; support the decisions which do not necessarily represent his/her points of view; and refrain from acting alone in the name of the board unless given such authority by resolution (ISBN 0-88838-459-9, 1983).

Finally, the Department of Education, reflecting the OGRE changes to be implemented, has virtually set up a new hierarchy. While most of its personnel remain the same, their positions have been changed. They need time to work into their new positions and functions and to appreciate the implications of the "partnership" decisions under consideration.

It is our recommendation that the Department of Education implement a partnership that is horizontal rather than vertical; one which recognizes the professional knowledge and fundamental caring of trustees and teachers alike in a co-operative venture. We strongly urge that the traditional top-down "management versus labour" division be modified so as to encourage working together against the problems, not working against each other.

NOTES

1. See Appendix 11.1 for a summary chart of the overview of references to trustee issues 1802 to 1975.

2. McNaughton refers to "boards" and "trustees" as synonymous. It is only later, in more recent times that distinction is made in the literature between the individual trustees and their corporate functions and power.

3. (Translation) All candidates for trustee in a Francophone district must obtain the signature of ten persons having one or more children enrolled in a school operated by a Francophone school district.

4. In order to avoid electing a trustee by acclamation, because voters have voted in the overlapping district, voters should be asked to choose in which district they will vote at the time of enumeration.

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APPENDIX 11.1

SUMMARY OF CHRONOLOGICAL OVERVIEW OF TRUSTEE ISSUES (1802-1975)

ISSUES / EVENTS	1802 FirstSchools Act in N.B.	1837 Schools Act	1842 Committee on Education	1845 Special Inspector Schools	1846 Grammer Schools Ac	1847 Parish Schools Act	1852 Bill of 1852	1853 Inspector Reports	1858 Elected Trustees	1871 Common Schools Act of N.B.	1877 Boards in all N.B. cities	1891 Inspectorate	1895 Annual Report on N.B. Schools	1896 Women on School Boards	1900 Nine School Boards	1929 Fifteen School Boards	1936 Complaints re Trustees	1943 County Schools Finance Act	1943 Rural School Assistance Act	1966 New Schools Act	1971 Subdistricts or Zones	1973 MacLeod Pinet Stud	1975 Indian Reps on Boards
Trustees by appointment		x									x					x							
Trustees by election									x	x	x												
3 Members apptd by Town Council; 4 apptd by Gov-In-Council											x				x	x		x					
Trustees elected at large																				x	x		
Trustees partially elected, partially apptd.																						x	
Duties of Trustees expanded					x	x														x			
Move to a more Central Authority		x	x		x		x					x						x		x			
Duties of Trustees reduced							x		x														
Trustees overseen by Inspectors												x											
Size of School Boards as Seven Members											x							x					
Size of Boards Increased																				x			
Complaints re Trustee Responsibility									x	x		x					x						
Trustees Paid										x													
Choice of French/Eng ballot in elections																						x	
Indian Respresentatives on School Boards																							x

APPENDIX 11.2:

MAJOR ACTS AND EVENTS IN APPENDIX 11.1

1802	First schools act in New Brunswick. An Act for Aiding and Encouraging Parish Schools (McNaughton 1947).
1837	Schools Act of 1837 paved the way for the central authority of County boards (McNaughton 1947, p. 90).
1842	Trustees reports go to a Committee on Education appointed by New Brunswick Legislative Assembly (McNaughton 1947, p. 95).
1845	Special school inspection recommended power of trustees be expanded (McNaughton 1947, p. 99).
1847	Parish Schools Act constituted a provincial Board of Education consisting of Lieutenant-Governor and Executive Council (McNaughton 1947).
1852	Bill of 1852 - an act for the Better Establishment and Maintenance of Parish Schools - produced a Superintendent of Education as Secretary to the Board of Education and county inspectors which minimized trustee inspection roles (McNaughton 1947).
1853	Inspectors' reports sent to Superintendent of Schools criticizing trustee roles (McNaughton 1947, p. 51).
1858	Trustees of Schools elected annually at the same time as town officers (McNaughton 1947).
1871	Common Schools Act of New Brunwsick - Trustees were elected for a local district but were responsible for one school only (McNaughton 1947).
1877	Boards in all New Brunswick cities consisted of seven members. Chairman and two members appointed by Governor-in-Council and four other members appointed by town council (Rand 1878, p. xxvii).
1891	Six areas of New Brunswick. Established as Inspectorals - An Inspector submitted an annual report to the Chief Superintendent of Education (Inch 1896).
1895	Annual Report on New Brunwsick. Schools: hints of trustee selection as prominent business and professional men (Inch 1896, p. xx).
1896	Women appointed as trustees (Inch 1896, p. lxi).

1900	Nine school boards (Inch 1900, p. lv).
1929	Fifteen school boards (Carter 1929).
1936	Complaints re trustees filed in Inspectoral reports (Paterson 1936).
1943	County Schools Finance Act and Rural Schools Assistance Act adopted by Legislature. The county became the unit of school financing in New Brunswick and was supervised by a County Superintendent of Schools. Districts had a seven-member board of trustees (Finn-Elliot 1979, p. 23).
1966	New Schools Act adopted - equal educational opportunities to be provided. Four hundred and twenty-two school districts replaced by 33 larger school districts (Finn-Elliot 1979, p. 24).
1971	Districts divided into subdistricts or zones for the election of school trustees (not including districts 19, 20, 22) (Finn-Elliot 1979).
1973	Study by MacLeod-Pinet on Education in New Brunswick.
1975	Agreement of Federal and Provincial governments to provide for Indian representation on Boards of Trustees of Districts 3, 8, 11, 25, 26, 29, 31, 33 (Finn-Elliot 1979, pp. 138-9).
1979	Study by Finn-Elliot on Education in New Brunswick.
1984	Office of Government Reform Recommendations on Education in New Brunswick - OGRE reports.

APPENDIX 11.3:

GENERAL PRINCIPLES REGARDING ROLES AND RELATIONSHIPS

1. The Minister of Education has the ultimate responsibility for the organization and delivery of quality educational services to the children of New Brunswick.

2. The Department of Education has the responsibility to:

   (a) define in terms of objectives and contents/elements, the educational program to be offered and provide the necessary curriculum support material necessary for the program;

   (b) provide the general working conditions and set the classification and norms for hiring all staff;

   (c) provide financial resources for the support of the educational services to be provided and set and monitor standards regarding procedures for the good administration of available funds;

   (d) establish provincial priorities in capital projects for school-building construction and maintenance.

3. School boards are agents of the Provincial Government and as such have delegated responsibility to carry out the policies and practices within the law of the province under the general direction of the Minister of Education.

4. School boards are a necessary part of the education system. School boards provide an effective means of maintaining a close link with the local citizen in relation to educational matters.

5. The School Boards are responsible to:

   (a) administer the educational program as prescribed by the Minister;

   (b) guide the school district towards the achievement of the goals and objectives set for the overall student population of the province;

   (c) manage human resources within the guidelines established by the Minister;

   (d) place students in classrooms and schools.

   (e) administer the assigned budget within guidelines established by the Minister;

(f) maintain close liaison with all concerned parties and be the spokesman for its constituency in all educational matters.

6. The Government has a firm commitment to providing equal opportunity of educational services to all children and that the only way this may be achieved is through the present centralized financing system.

7. Consultation is an important element of the policy-development process and the Department of Education will ensure that school boards have suitable opportunities to provide input to such activities.

Proposed Actions

School boards in this province have, for the most part, served the education system well. There are close to 400 school trustees who have voluntarily offered their services to the public school system (albeit for a variety of reasons).

While there are problems in the system, the positive elements far outweigh the disadvantages. The adjustments to be made are possible without dismantling the total system. The various briefs presented have suggested mainly the redefinition of the relationship between the school boards and the Department of Education.

1. That the responsibilities and accountability of the Department of Education and of school boards be clearly specified in legislation, regulations, and policy, that the nature and extent of school board flexibility in terms of resource management and service delivery be carefully defined and that a set of model school board operational policies be developed as a guide for each district.

2. That the Department of Education's role consist of three elements - designing, funding, and monitoring. This would include:

    (a) designing and setting of Standards:

        (i) policy framework: directions, objectives, priorities

        (ii) program (curriculum) availability, design/structure, and content standards

        (iii) quality standards for human, physical, and other resources

        (iv) guidelines for efficient use of resources

        (v) provision of consulting services to school districts in relation to organization, management, operation, administrative, and other support services

(vi) ensuring successful implementation of Provincial Government policies, programs, and standards

(b) funding:

(i) provision of all funds for the public school system (i.e., no local funding for the general operation of the system)

(ii) equitable disiribution of available financial resources, i.e., using objective, standardized criteria

(iii) organizational incentives for sound financial management by local authorities

(c) monitoring and evaluation:

(i) specification of suitable program, student, and financial performance indicators that reflect stated objectives, standards, and guidelines, and also permit comparisons among school districts

(ii) regular collection, analysis, and reporting to the Department of Education and to individual school districts (trustees and administrative staff), i.e., a management information system

(iii) development of evaluation mechanisms and procedures for all aspects of the public school system (i.e., curriculum, students, teachers, administrators, etc.) and provision of assistance to school districts in conducting specific evaluation projects

(iv) support applied research into such topics as effective and efficient teaching methods, the use of modern technology in the education system, etc.

3. That the school board role allow flexibility in relation to deciding how to use its assigned resources (e.g., funds, personnel, facilities, equipment, bus routes, locally relevant elective courses, etc.) to implement the provincially approved public school program and in setting priorities to reflect local situations and needs, within the context of defined provincial standards. The choices for which they will be responsible and accountable will be clearly specified to them and to the general public.

4. That the school boards be responsible to the Minister for ensuring that the provincial program of studies, as prescribed by the Department, and also other established standards are adhered to. The school boards would receive regular reports from their administrative staff and provide an annual report on the district's educational program to the Minister.

5. That two chief superintendents of public schools be assigned, one for each of the two official language groups. These would be senior-management-level positions in the Department of Education, responsible for directing and co-ordinating operational contact between the Department and School Districts. This position would be generally comparable to that of a Director of Field Operations. The responsibilities would include:

   (a) Advising and assisting school boards and their administrative staff in regard to carrying out the objectives and standards set by the Department.

   (b) Acting as a liaison between the Department and school boards on all aspects of the boards' operations in relation to carrying out its assigned responsibilities.

   (c) Providing expert assistance and advice to school boards and Superintendents on organizational, management, operational, etc., matters.

   (d) Interpreting and administering policies established by the Minister in a manner that takes into account any particular needs and situations in each district.

   (e) Acting as the primary Departmental advisor in ensuring adequate financing for the school district operation.

   (f) Providing input to school boards in relation to the hiring and evaluation of superintendents.

   Note: School District Superintendents would continue to be employed by, and report to, local school boards. They would not become employees of the Department of Education or report directly to the Chief Superintendent(s).

6. That two special ad hoc advisory committees (along language lines), made up of representatives of the School Trustees' Association, School Superintendents' Association, and senior officials of the Department of Education, be established by the Minister of Education. The purpose will be to:

   (a) identify all Departmental directives and policy statements and recommend to the Minister that they be either retained, modified, or eliminated;

   (b) establish guidelines for issuing of future directives;

   (c) establish consulting procedures for issuing and explaining of future directives.

   The chairperson will be appointed by the Provincial Government, and each organization represented will submit a list of names to the Minister, who will select member(s) from it.

7. That a clear, regular, and formal consultation mechanism and procedure between the Department and the two associations of School Trustees be established and maintained at the senior-management level to raise and discuss issues relative to the continued development and effective management of the public school system. This would be in addition to regular opportunities that school boards will have to provide input to the policy-development process, e.g., through advisory committees on various policy issues.

8. That a formal arrangement for input by School Trustees to the collective bargaining process operated by the Board of Management be established. The School Trustees' Associations would provide input that would contribute to the establishment of a realistic set of principles and procedural guidelines to be respected throughout the collective bargaining process. Any deviation from these guidelines would require the involvement of the Trustee Association's representatives. This would ensure local-management input on the implications for efficient and effective system operation of the specific items being discussed during the collective-agreement negotiation process.

9. That school board members receive an initial orientation in regard to their roles and responsibilities. That opportunities for "continuing education" be made available periodically to help develop their abilities to perform their duties. The Department of Education and Trustees' Associations would prepare appropriate material and co-sponsor educational workshops.

10. That any future decisions regarding the number and size of school districts consider the potential for achieving efficient, effective resource management as a key factor.

11. That school district employees and Department of Education employees not be permitted to be members of any school board because of the inherent conflict-of-interest situation that is created in such instances, e.g., an individual could conceivably be a member of a key management group and also a member of the employee's collective bargaining group at the same time.

Concluding Comments

If the Department carries out its recommended role effectively, the need to have strong direct controls over local financial and other administrative matters would be greatly reduced. The Department's primary educational concern should be related to such matters as defining objectives and determining whether the public school system is producing the expected results/outcomes for students, not gaining and exercising *de facto* control over day-to-day management. Not surprisingly, this is seen by school boards as an attempt to usurp their authority.

The approach which seems to be currently favoured by the Department inevitably leads to more and more controls over all aspects of service management and delivery at the local level.

This involves it in trying to manage so much detail that its own fundamental responsibilities are ignored increasingly. The ultimate result is very tight central control, rigidity, lack of innovation, and no clear sense of direction - and every operational problem is laid at the doorstep of the Minister who has total control over everything. In other words, too much emphasis on strong central controls in order to avoid or solve political and administrative problems for the central authority often tends to be a self-defeating exercise. This has been demonstrated many times and in many places. There is no reason to believe it will succeed this time in relation to New Brunswick's public school system.

The Department and school boards must establish a real partnership - one based on a clearly defined, complementary role for each party.

The assumption here is that, given a proper framework of objectives, standards, incentives and the availability of consultative assistance in program and administrative matters, school boards will be able and willing to play a positive, constructive role in the public school system in co-operation with the central authority.

For the proposed approach to be successful, the role of school boards must be clearly specified and understood - the choices they are responsible for in the system must be defined and understood by them and their electorate. Furthermore, board members and the public must be aware of the resource-use choices open to them and their implications, i.e., the trade-off decisions that must be made locally, within the framework of provincial objectives and standards that has been defined and is being regularly monitored. School board members should be given an initial orientation and have opportunities for "continuing education" while in office so they are aware of, and have, the necessary tools and support services to perform the role expected of them.

There is no really viable alternative to the proposal outlined above. Even total elimination of school boards and direct administration by the Department would almost certainly result in a situation where day-to-day operational concerns would consume an increasingly large portion of the total available time and effort and the truly essential central functions - providing overall leadership, setting a context/environment for co-operation and progress, specification of expected results, strategic planning, program (curriculum) development and design, performance monitoring, etc. - would not receive sufficient attention. This situation would militate against the effective and efficient use of educational resources.

It must be stressed that even if the proposed orientation regarding roles and relationships is adopted as Provincial Government policy, its successful implementation will depend on the extent of the Department of Education's commitment and active support at the administrative level.

12. REPRESENTATION ON SCHOOL BOARDS IN NOVA SCOTIA: PAST AND PRESENT

- Erik W. Ricker

HISTORICAL BACKGROUND

The history of citizen representation on school boards in Nova Scotia provides an interesting illustration of how reactionary trends often accompany important steps forward in the development of a liberal democracy. The story is complicated, therefore this chapter's length exceeds others in this volume.

Nova Scotia was the first province in Canada to achieve responsible government and the first to adopt a public school act that delegated responsibility for school administration to local trustees (Statutes of Nova Scotia (SNS) 1766). It also became the first to establish a universally "free" and democratically controlled school system when it passed the so-called Free School Act just prior to Confederation (Gillett 1966, p. 186; Fergusson 1964, p. 22).[1] However, Nova Scotia is also blessed with the dubious distinction of being the province to abandon popular control at the local level once it had been firmly established.

The process of de-democratization commenced shortly after the Free Schools Act was passed and was completed 90 years later when the recommendations of the Pottier Commission (Nova Scotia 1954) were implemented. A nod to public pressure during the 1970s to restore at least some measure of direct popular control over the schools, resulted in legislation to provide for the election of one-third of the members of city, municipal, and town boards (SNS 1978). The remaining members of these three classes of school boards continued to be appointed in equal numbers by municipal and provincial authorities, thus establishing for them a tripartite model of representation. Three amalgamated school boards set up in 1970 were dealt with under a complex formula in a separate section of the Act which allowed for a different proportion of the membership of each of these boards to be elected. Eleven regional vocational school boards, established during the 1960s (SNS 1966) and entirely appointed by the province, were not covered by the Act.

The long process of converting an elected school board system to an appointed one began when special legislation was passed to exempt the City of Halifax from certain requirements of the Free School Act. Under the Act, each public school was organized as a school section and governed by a board of trustees held accountable to an annual school meeting. If applied to Halifax, it would have been necessary to establish a surfeit of school boards, because the city already had a great number of schools in operation. The Superintendent of Education for the colony refused to recommend such a scheme to government authorities. As an alternative, he proposed a two-tiered model of administration under which each of the city's six wards would be organized as a school section with its own board of trustees; a central committee composed of representatives of each section board would be established to levy taxes and disburse funds to the participating units (Rand 1865, p. 12). The Superintendent's thinking was too advanced for the times and the Government responded by setting up a single-tiered board for the city, composed of two representatives from each ward. All members of the board were appointed by the Governor-in-Council (SNS 1865, section 49(1)).

During the course of the next five years, the Halifax City Council engaged the Province in a struggle to gain control over the board. By 1869, a compromise of sorts had been worked out when the board's composition was altered to include six city aldermen and seven provincial government appointees (SNS 1869, section 1). The year before, the board's financial independence was brought to an end when a statutory ceiling was placed on the amount of the annual appropriation that could be exacted from city coffers (SNS 1868). Although very likely not recognized at the time, a model for the administration of education in urban areas was beginning to take shape.

In 1888, the Province enacted legislation to provide for the incorporation of towns (SNS 1888). Prior to that date, eight individual acts of incorporation had been passed and in each case the town council had been granted control over all public schools within its boundaries. The Towns Incorporation Act terminated these arrangements, creating instead a board of school commissioners for each town. In all but one important respect the town boards were based on the Halifax model - that is, they were a blend of provincially and locally appointed members. What distinguished them from the Halifax Board was that the town council, rather than the Provincial Government, appointed the majority of the members (SNS 1888, section 66(1)(2)). And because this meant that the town councils could effectively control their school boards, the government did not need to establish a statutory ceiling for the amount of the annual appropriation for schools.

This tilt in the balance of power from provincial to local authorities did not immediately affect the situation in Halifax. At the end of the century the city's charter was amended to establish parity of representation between provincial and municipal representatives (SNS 1901), but no further changes were made in the membership structure to bring the board more firmly under the council's control. By way of contrast, when Sydney was incorporated as the province's second city in 1903, provision was made for the city's mayor to control the board. It was composed of the mayor and four of his nominees (of whom three were aldermen), plus two provincial representatives (SNS 1903a, section 9, pp. 227-30). With these developments the basic governing structures for urban education in the province were set, not to be altered for another 75 years.

In the rural areas, the section system delineated in 1864 functioned with very little change until 1942. Despite serious problems caused by a slumping economy and attendant rural depopulation, no major effort was made to reorganize the country schools in the first four decades of the 20th century. Although reform was often discussed, any steps taken to effect improvements reflected the unwillingness and perhaps also the inability of provincial authorities to tamper with local affairs. Rural Nova Scotians proved themselves to be loyal to established institutions and very resistant to change. Two examples of attempted reforms will serve to illustrate the point.

The first concerns efforts made to consolidate rural schools. Beginning in 1903, the Government appropriated annually a sum of $36 000 to assist local area consolidations (Bingay 1919, p. 78). Over the course of the next two decades, however, only 60 of some 1800-odd school sections were actually consolidated, and most of these involved nothing more than two sections joining together to cope with a declining school-age population (Bingay 1919, pp. 78-9). Such cases did not require the construction of a consolidated school building.

An attempt to showcase the positive values of consolidation was made in Middleton, a small town in the heart of the Annapolis Valley. Here a modern multiple-classroom school was built in 1903 under the auspices of a private charity, the Macdonald Rural School Fund, and equipped with the very latest in curriculum and instructional aids (Sutherland 1976, p. 194). Local residents were required to maintain only the average of existing tax rates to help support the school; everything else was paid for by the Fund. Despite this generous subvention, the eight school sections involved in the consolidation only agreed to form a federation for the purpose of operating the school, and then just for the three-year period that the Fund undertook to underwrite a substantial portion of the operating costs. Otherwise, each section retained its own corporate existence and agreed not to operate its school for the following three years (SNS 1903b, section 2). As events took their course, four of the eight sections withdrew from the federation at the end of three years and a new statute was drafted to establish a federated board for the remaining four (SNS 1906). This early example of a "sunset" law came into effect despite the willingness of the MacDonald Fund to continue its subsidy for an additional three-year period (Bingay 1919, p. 78) and despite the impressive educational results (Canada 1913, p. 156).

The second example of resistance to change concerns arrangements made for high school education in the rural areas. As demand for secondary education grew, some school sections agreed to provide it - but not by forming larger consolidated units. Instead, the federation model was once again employed. The Education Act was amended to enable sections to band together to form a federated district for the purpose of operating a high school department in one of the existing schools. Each such federation was governed by its own board of directors and collected its own revenues (Revised Statutes of Nova Scotia 1923, section 12). Although not affected by a sunset law, a federated district could not force unwilling sections to remain if their interest flagged. However, the federated model of high school education apparently commanded strong support from important rural organizations throughout the 1920s (Nova Scotia 1928, p. xxvi).

In the mid-1920s, a new Superintendent of Education, Henry Munro, began campaigning in the province to build support for a major administrative reform of the rural school system. His view was that the problem confronting the country schools was more the result of human weakness than it was a consequence of an impoverished rural economy. And the major source of difficulty was locally elected school officials who had not faced up to their responsibilities - either in providing adequate schooling or in insisting upon regular school attendance (Munro 1927, p. 60; Nova Scotia 1928, p. xxviii).

In 1938, the Government granted Munro approval to proceed with a major restructuring plan. A commission, set up under his direction to examine various alternatives, recommended that a two-tiered model of administration be established in the rural areas: so-called municipal school boards would be organized on a voluntary basis for all 24 rural municipalities and the school sections would be retained as the lower tier with reduced powers and responsibilities (Figure 12.1).

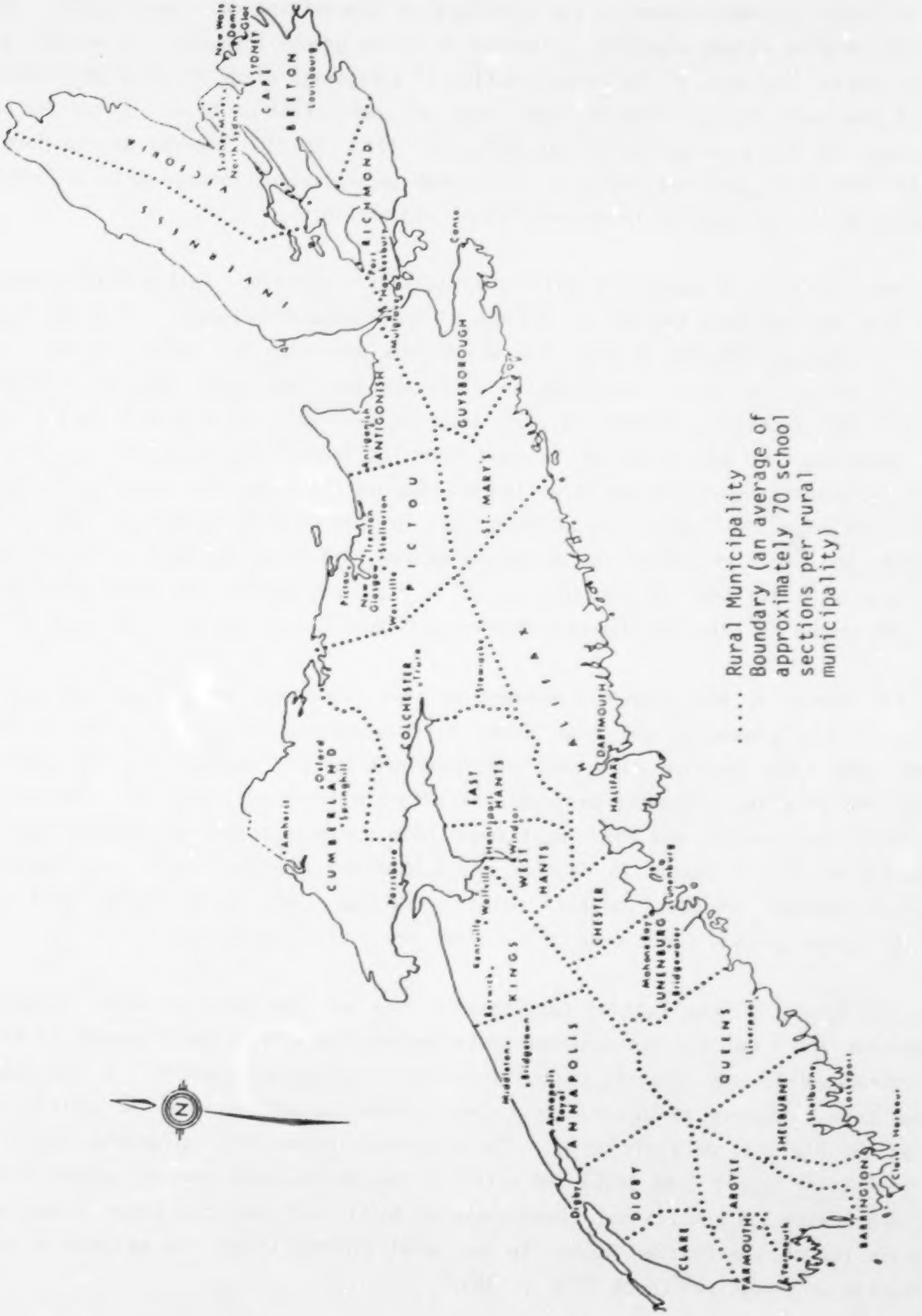
Not surprisingly, given Munro's view about human frailties inherent in the elected trustee system, the commission recommended that the municipal boards be composed along the lines of the town model (Nova Scotia Department of Education 1939, pp. 37-9). As the commission also envisioned towns joining the municipal boards, it attempted to establish a form of administration that would encourage them to do so (Nova Scotia Department of Education 1939, p. 37; Moffatt 1985).

Enabling legislation to set up the municipal boards was passed in 1942. The voluntary approach proposed by the commission was followed: the support of a majority of sections in each municipality was required before a municipal board could be formed (SNS 1942, section 164). Within four years all 24 boards were in operation. Ready acceptance of the plan was due mainly to attractive financial incentives to transfer the burden of operating costs from the sections to the province (Beck 1973, p. 41; Nova Scotia 1974, Vol. III, ch. 36, pp. 22-3). Under the new financial arrangements, approximately half of all sections in any given municipal unit also enjoyed a reduction in tax rates and all were guaranteed higher levels of service (SNS 1942, section 171(3)). The sections were left with responsibility for capital improvements and upkeep, also for retaining their supervisory authority over the schools (SNS 1942, section 169). The power to select teachers, which the commission had recommended be left with the sections, was transferred to the municipal boards (SNS 1942, section 167).

The municipal boards had just been instituted when it became obvious that several of them were not large enough to administer a modern high school program. The amendments to the Education Act in 1942 had anticipated the need for even larger units, by permitting joint municipal boards to be set up (SNS 1942, section 179). When the Government undertook to develop a system of rural and regional high schools after the war, however, it found that there was considerable reluctance to form these larger units. Rather than force the issue, the Government opted to establish a third tier of local administration. Legislation was introduced to establish consolidated school boards (later renamed regional school boards), which were composed of representatives of neighboring municipal and town boards (Beck 1973, p. 41). In the early stages, these boards were set up to run regional and rural high schools; in later years, some were formed for the purpose of operating consolidated elementary schools. By the late 1970s, 16 regional boards were in operation (Nova Scotia Department of Education 1981, pp. 90-2).

Figure 12.1

Rural Municipalities, Towns and Cities



(Reprinted from Nova Scotia (1974), Vol. II, Fig. II: 3: A.)

When the Pottier Commission was set up in 1953 to review and report on problems related to school finance, the third tier of administration was still in its infancy. Judge Pottier chose to focus his efforts entirely upon issues of finance and taxation, however, and did not make recommendations on the structure or composition of school boards. He proceeded this way despite strong arguments presented to him by groups favouring the mandating of elected school boards[2] and despite the recommendation of a majority study of local government conducted just a few years earlier that regional units of administration be set up for all basic social services, including education (Rowat 1949, Pt. III, ch. 2). Records of the Commission also reveal that the judge was aware of the trend towards much larger units of administration, governed by elected boards, in several states and provinces.[3]

The only measure concerning local administration contained in the Pottier Report was one that in effect stripped the school sections of their remaining powers. This was a proposal for a vastly improved foundation plan, one which made provision for capital as well as operating costs - but it was also a proposal to eliminate the last major area of autonomy that the trustees possessed (Nova Scotia 1954, ch. 10). As desirable and necessary as the improved plan was, Judge Pottier was reluctant to deal with its logical consequences, which was either to abolish the sections or provide them with new responsibilities. The Nova Scotia Teachers Union (NSTU) had urged the latter course (NSTU 1954, p. 13), but the judge was perhaps more influenced by the views of one of the municipal boards, which had argued that "split authority" be done away with and that the sections remain as "advisory bodies" to assist with teacher selection and school building maintenance (Municipal School Board, County of Halifax 1954).

The upshot of the judge's treatment of this issue was legislation that went beyond the letter of his proposals and transferred full managerial responsibilities to the municipal boards (SNS 1955, section 23). All that remained for the sections was the right to levy an extra area rate to supplement programs not eligible for assistance under the foundation plan (SNS 1955, sections 23 and 28). Most found this a prospect not worth enduring, and with the exception of school boards in Halifax and Cumberland counties, which as a matter of policy retained section trustees wherever possible (Briggs 1985, p. 9; MacKay 1984, p. 26), the section system quickly faded away in all other areas of the province.

The result of the Pottier Commission's work was the most advanced foundation plan in Canada for its time, but one destined to be implemented within the framework of an administrative structure already creaking under the strain of ad hoc adjustments. If the judge's strategy had been to ignore administrative issues in order to achieve what was politically possible, it was not one that paid dividends. The Government faithfully implemented the main proposals of the Pottier Report (SNS 1955) and within a few months went down to defeat in a provincial election. Although educational finance was evidently not the main issue in the campaign, the unpopularity of the Pottier Report in key rural ridings tipped the balance in favour of the opposition Conservatives (Beck 1973, p. 36).

For the next 15 years the school board system remained essentially unchanged. As new demands arose, the government simply made ad hoc adjustments. Regional high school boards continued to be added as the province expanded its network of high schools in the rural areas and a new layer of school boards was established during the mid-1960s to administer 11 vocational schools that were constructed as a result of a generous federal subvention provided under the terms of the Technical and Vocational Training Assistance Act of 1961 (Chowdhury 1973, p. 42).[4] Towards the end of the 1960s, after G. I. Smith succeeded Robert Stanfield as premier, the Government conducted feasibility studies in certain areas of the province to determine whether there was adequate public support for larger amalgamated units.

In 1970, a result of enabling legislation that featured attractive financial and administrative incentives (SNS 1968, section 54A), three amalgamated school boards were formed in three different areas of the province (Beck 1973, pp. 41-2)[5]. Acting on the advice of a private consultant's study on one of the areas where amalgamation was to occur, the Government amended the enabling legislation to allow members of these boards to be elected (SNS 1970, section 2). None of the municipalities involved in negotiations at that stage expressed interest in this possibility, although two of the three areas took advantage of another provision in the legislation allowing provincial appointees to be excluded from the boards.

The Smith government had attempted to respond in a piecemeal fashion to a rapidly developing crisis in public school finance and administration. Although the basic problem was spiralling costs driven up by bulging enrolments, the hodgepodge, administrative structure at the local level contributed substantially to the crisis by not providing for, or encouraging, desirable efficiencies. The Smith government's main attack on the problem, however, had not been the device of larger units of adminstration; rather, a much cruder instrument in the form of emergency legislation that permitted the Government to set aside the mechanics of the foundation plan and deal with school board budgets on an ad hoc basis was enacted (SNS 1969).

It proved to be a case of too little, too late. In the provincial election held in the autumn of 1970, the Government was defeated by the Liberals under Gerald Regan. The campaign focused on the government's mismanagement of economic development (Beck 1973, p. 38; Beck 1978, p. 202), but the issue of skyrocketing property taxes to pay for schools also featured prominently in the election debates. The Liberals had skilfully exploited both issues, and promised a royal commission to address the mounting property-tax crisis as soon as they took office (Halifax Chronicle-Herald 1970). The promise was kept, although the commission was given much broader terms of reference than had been indicated during the campaign (Graham 1975, p. 35). At the same time a halt was called to further amalgamations until the newly established units could be given a chance to prove their worth.

The Royal Commission had hoped to complete its work within two years, but after giving exhaustive consideration to the seamless web of issues and problems surrounding property taxation and the delivery of all government services, it found that an extra year was required. The Commission reported in the spring of 1974 (Nova Scotia 1974), the same year that an evaluation report was prepared on the three amalgamated school boards. The evaluation report gave the boards a clean bill of health (Nova Scotia Department of Education 1974, p. 61), but the report of the Royal Commission pre-empted the political agenda with its call for a total restructuring of local and Provincial Government services.

The Graham Commission Report, as it was known, reflected its chairman's previously enunciated view that the reorganization and upgrading of important services - especially health and education - could serve as a spur to economic improvements in rural areas (Graham 1963, pp. 164-5). It proposed that the number of municipal units be reduced from 65 to 11 single-tiered units and that the number of school boards be reduced from 85 to 11 two-tiered units. The municipal units and the new school boards were to have coterminous boundaries (Graham, 1975, pp. 352-3) (See Figure 12.2).

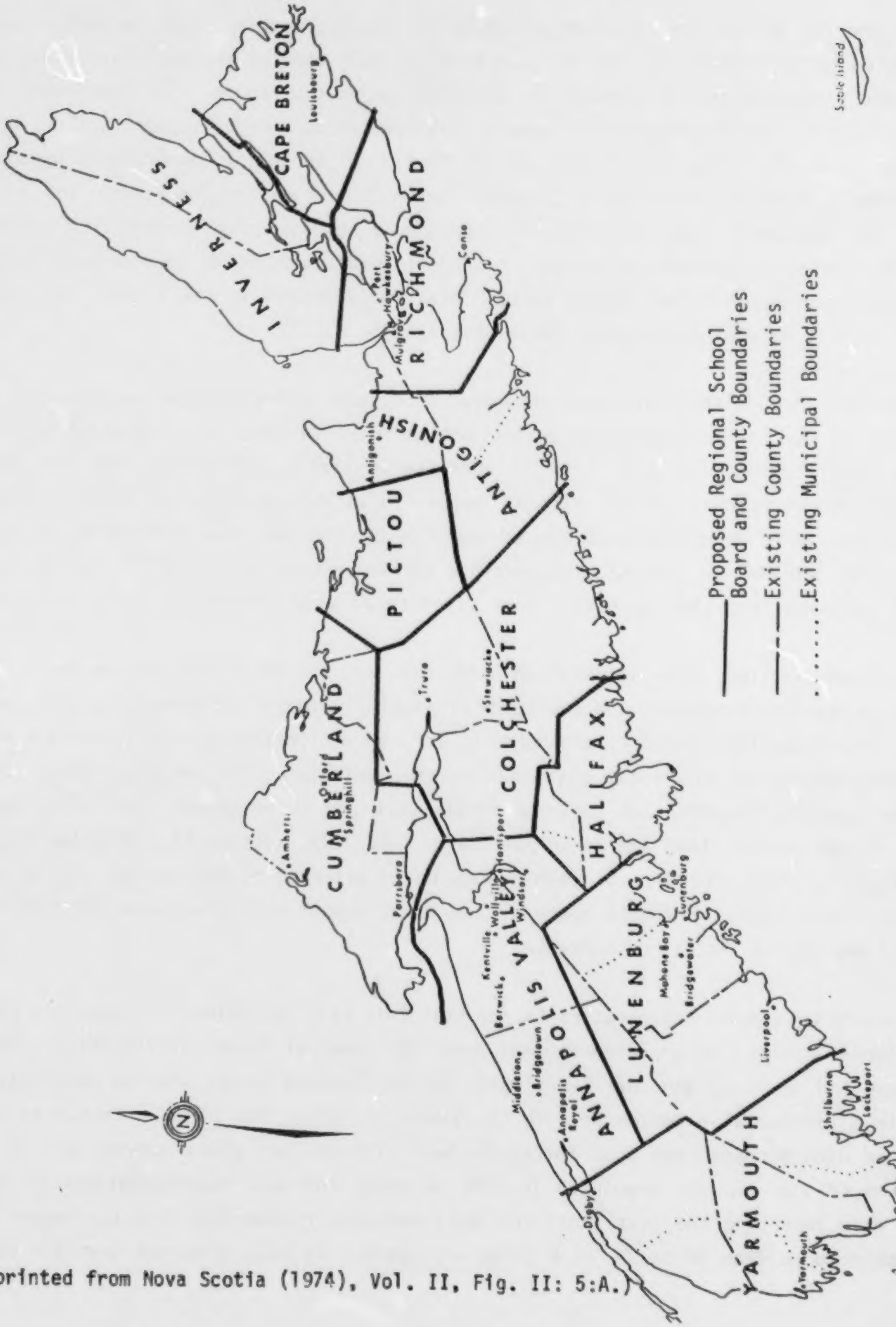
Under the Commission's scheme the upper tier of the proposed system of local school administration (the regional school boards) was to be composed of 12 members, half elected and half appointed, the appointed component was to be allocated among representatives of the new municipal governments, various interest groups and the province. Appointments by the latter were to be made only if necessary to ensure that minority-group interests were adequately represented (Nova Scotia 1974, Vol. III, ch. 45).[6] The lower tier was intended to be a revitalized version of the traditional school section (Graham 1975, p. 353). The Commission envisaged school governments (called school councils) composed in equal parts of school staff, parents, and other community members; it proposed that these councils be established for individual schools, or clusters of schools, according to geographical circumstances and the wishes of local residents. The councils were to be given quite specific powers and responsibilities, although the power to levy taxes was not among them. In fact, the keystone of the Commission's design for education was that the province assume total responsibility for financing the school system; not even the new school boards were to have a role in this matter (Nova Scotia 1974, Vol. III, ch. 46). It is worth noting that in its call for a restoration of democracy at the community level, the Commission attempted to accommodate the clearly expressed desires of the majority of submissions it had received (Nova Scotia 1974, Vol. III, ch. 38, p. 13). Among key interest groups there was strong agreement that elected, or at least partially elected, school boards were necessary.[7]

The reorganization proposed for public education also included a major administrative shake-up of the Department of Education to more clearly identify it with a service rather than a regulatory function. Two major reforms were recommended to achieve this end: first, the Department itself would be decentralized by redistributing the bulk of its employees to 11 regional offices (each office to serve as the administrative arm of one of the new regional school boards); and second, a commission directly responsible to the Minister and Cabinet would be established to assume responsibility for most regulatory functions performed by the Department, including inspection and the periodic evaluation of local school systems (Nova Scotia

Figure 12.2

Regional School Board and County Boundaries

Proposed by the Graham Commission



(Reprinted from Nova Scotia (1974), Vol. II, Fig. II: 5:A.)

1974, Vol. III, ch. 44; Atherton 1975). The complexity of this intricate structure of checks and balances offended certain vested interests, but the powerful Nova Scotia Teachers Union (NSTU) was basically supportive of the Commission's proposals (NSTU 1975a) and, in the wake of the Commission's report, had even cautioned its members that the sweeping changes being contemplated included many of the things it had asked for (NSTU 1975b).

The complex design for the reorganization of local government and the school system was not accepted by the Government. An all-party select committee of the Legislature was set up to examine the proposals and to conduct its own hearings on the report. The Committee determined that there was no public consensus on some of the Commission's major recommendations and strong opposition to others (Nova Scotia 1975, pp. 5, 10-2). Although the Commission's proposals were unquestionably a heady brew for a province grown accustomed to ad hocery and incremental change, the Government realized that inaction was a response that carried its own political risks. The Select Committee, although not supportive of many of the Commission's basic recommendations, acknowledged that people wanted "real involvement" in the schools and some provision for locally determined programs (Nova Scotia 1975, p. 12).

From 1976 to 1978 the Government struggled to develop a legislative response that would be acceptable to key interest groups. On two occasions it tabled a bill to establish partially elected school boards, but each time it encountered strong opposition from the amalgamated boards and their friends in the Liberal caucus (Nova Scotia 1978, p. 1810). Eventually a mechanism was found that appeased the amalgamated boards, and the Government, as part of an election-year legislative package, introduced a revised version of the Bill. It was greeted by hoots of derision from the opposition parties, both of whom called for fully elected boards.[8]

As noted earlier, the legislation provided for one-third elected members, one-third municipally appointed members, and one-third provincially appointed members on city, municipal, and town school boards. Special arrangements for the amalgamated boards linked the proportion of elected members to the local distribution of population. The regional school boards remained as appointed boards, but some appointees were now to be chosen from among the elected members of the partner town and municipal boards (SNS 1978, section 5). With the exception of the amalgamted areas, the size of each school board affected by the law was set as a multiple of three - six, nine, or twelve members, the exact number depending upon the type of school board and any special local requirements.

It would be a gross exaggeration to say that this bill satisfied everyone. It was in fact one of those attempts at appeasement that sows the seeds of future difficulties. The Liberal government had scarcely put the legislation on the statute books when it was voted out of office in a provincial election held in the autumn of 1978. The incoming Conservative government under John Buchanan was soon forced to deal with its own pronouncments on the issue. A commission of its own was appointed in 1980 to study and make recommendations on school finance. When reporting the next year, the new Commission recommended that the number of school boards be reduced from 85 to 21 on a voluntary basis. It also proposed that all educational services, including vocational education, be made a responsibility of its proposed "district boards". In accordance with what it said was the majority viewpoint it had received through briefs and other submissions, the Commission recommended that the new boards be half appointed by the participating municipal units and half elected. While it suggested that the total number of seats for each board be established through local negotiations, it proposed that each municipality be granted a minimum of two. Finally, the Commission called for a measure of fiscal autonomy for the boards: each was to be permitted to requisition supplementary budget amounts over and above the yield of the foundation formula, provided that 80 per cent of the members indicated their approval - that is, if at least half of the municipally appointed members voted in favour (Nova Scotia Department of Education 1981, pp. 19, 22-3, 27, 36-7, 40).

The Government accepted the reorganization plan proposed by the Commission but rejected several of the important details. It refused to alter the tripartite membership structure that it had so strongly criticized while in opposition. The Government, instead, extended the 1978 formula to the amalgamated units (which had remained intact under the reorganization) in order to establish a uniform structure throughout the province. The Government also rejected the proposal to merge vocational education with the new boards, although it did not remove it from the control of the two amalgamated boards that had operated vocational schools under the terms of the 1970 agreements. Eliminated, too, from the Government's implementation plan was the proposal to grant the boards the degree of financial autonomy proposed by the Commission. The Government decided that support for supplementary funding must be approved by the participating municipal councils under a formula written into the operating agreement for each board.[10] In most cases the approval of all partner municipalities was required.

An interesting by-product of the Commission's work was the establishment of Nova Scotia's first official minority-language school board. The Commission had proposed that two small and essentially non-adjacent Acadian districts in the southern part of the province be merged, but it left open the question of the language of administration to be used by the new board. This proved to be a controversial issue because, despite superficial appearances, the two areas were quite dissimilar. The school board in one of the areas, the District of Clare, had operated unofficially as a French-language board since an earlier reorganization in 1944 (Rist 1983, p. 14). The board in the other area, the District of Argyle, had operated in English despite serving a predominantly Acadian population. This was partly in deference to the substantial number of unilingual Anglophone residents in the region it served, and partly because many local area Acadians had been assimilated by the English community.

The municipal councils of the two areas were opposed to the recommended board structure but could not afford to forfeit the financial benefits that were offered as inducements to merge. They eventually agreed to form the board as recommended but could not reach agreement on the language of administration. The matter was left to the Minister of Education, who subsequently ruled that it would be French, with provision made for translation and interpretation services as required.[11] The Anglophone minority was not guaranteed seats on the board nor was a management subcommittee appointed (on the model of the French-language committees in

Ontario), despite numerous requests for one. All of this led to some unpleasant infighting within the governing Conservative Party, as English-speaking Conservatives in Argyle lobbied strenuously to have their rights recognized. At one stage an open split developed in the Cabinet over the question as the Attorney-General spoke out in favour of the English-speaking residents of Argyle (Kimber 1983; Vibert 1983).

The issue was defused by the new board's conduct once it began functioning. The Board adopted the practice of communicating in English with English-speaking residents and their schools; board minutes and other documents of importance were routinely translated. Senior officials employed by the Board were bilingual and, fortuitously perhaps, the new superintendent was chosen from the Argyle school system (Rist 1983). In reality, no serious threat was posed to Anglophone interests despite the fact that they held but one seat on the Board. With the exception of some parts of the District of Clare, the everyday reality of language usage in the region remains one of English dominance.

A second by-product of the Commission's work was another change of status for the province's remaining school sections. The Commission had not made any recommendations concerning the sections, but as was the case when the Pottier Report was implemented, the Government took advantage of the opportunity to tidy up the existing legislation. The Government may have had in mind the legislation that was enacted to permit amalgamated school boards to be formed: whether by accident or design it had been worded in such a fshion as to eliminate the school sections in the areas it affected (SNS 1968, sections 6 and 8). Whatever the Government's intentions were, legislation implementing the Walker Commission's recommendations included a provision that made it more difficult for school sections to be established without a model show of community support (SNS 1982, sections 11 and 13). Until 1982, the sections had still existed by right of law, and any ratepayer could invoke the machinery to cause one to be set up. Evidently at least one ratepayer's group had taken advantage of this legal anachronism to wage a battle against a school board over the adequacy of educational services in its area (MacKay 1984, pp. 59-60). The 1982 amendments reduced slightly the chances of this sort of thing occurring again.

Since 1981, no further changes have been made in the district board system. The Town of Hantsport, alone among the original urban and rural boards of the province, elected not to join the system and still remains outside it. The regional vocational boards continue to operate under the arrangements made in the 1960s, although these particular boards also were modestly affected by the legislative changes made in 1982. The vocational boards had always been appointed by the Government, but three places on each had been reserved for nominees of school boards in the "region" [12] who were not required to be members of those boards (SNS 1966, section 1). Since 1982, members are chosen from among nominees of the district board or boards in the same region as a vocational board, and the nominees must be members of the district board. At the same time the boards were renamed regional vocational school advisory boards, a title more in keeping with the duties they had performed all along (SNS 1982, section 46(2) and (3)).

The vocational school system recently entered a period of change and the future status of the boards seems uncertain. Vocational education has been transferred from the Department of Education to the newly created Department of Human Resources, Development, and Training. Because the regional boards were originally conceived within the context of the Department of Education's style of operations, it is possible that the Government might choose another form of management structure, such as boards of governors, to eliminate any confusion over which department now has jurisdiction over these schools.

A Perspective on the History of School Board Reorganizations and Certain Democratic Values

The achievements of the modern educational system in Nova Scotia, which have been documented in various sources, are quite substantial when compared to the rudimentary level of schooling provided only a generation ago (Moffatt 1964; Nova Scotia 1974, Vol. III, ch. 36). There has been, however, a price paid for those achievements in terms of democratic values. While it is impossible to assess that price with any degree of certainty, some rough calculations show how such basic values as access and participation have been affected by the changing nature of local school administration.

In 1865, 989 school sections serving a population of 350 000 persons were governed by 2967 trustees. This meant that there were roughly 2.9 school trustees for every teacher and one trustee for every 121 persons in the province. This situation remained essentially unchanged in the 1930s, when the Commission on the Larger Unit calculated that in the rural areas alone there were four officials for every teacher if board secretaries were included in the count (Nova Scotia Department of Education 1939, p. 9). Even as late as 1955, the last year in which the sections retained significant powers and responsibilities, there was one trustee or school board member for every teacher in the province and one for every 120 residents (see table 12.1).

The adoption of the Pottier Report signalled major changes in both access and participation. The section boards, many of which had remained important forces in the system in the post-war period, faded away rather quickly once full managerial powers were vested in municipal school boards: they simply were no longer important forums for decision making. The three amalgamations of 1970 further diluted accessibility and participation in local school affairs. By 1971, the total number of local officials with governing authority had been reduced to 466, or one for every 1693 persons in the province. At this point there was also only one school board member for every 25 teachers. The ratio of board members to population improved slightly after 1978, as some boards increased marginally in size to conform to the requirements of the School Board Membership Act. But the general pattern resumed with the 1981 reorganization. There is now one board member for every 2912 persons, and there are three for every 100 teachers.

Table 12.1:

Aggregate Representation on School Boards in Nova Scotia, 1865-1982

Year	School Boards	School Board Members	Population	Teachers	Ratio of Board Members to Teachers	Ratio of Board Members to Population
1865	989	1967	359,357	1,031	2.88	121.1
1941	1765	5394	577,962	4,016	1.34	107.1
1946	1762[a]	5455	616,734	4,276	1.28	113.1
1955	1751[b]	5547	663,436	5,345	1.04	119.6
1971	72[c]	466	788,960	10,604	.04	1693.1
1978	72[d]	534	835,744	11,476	.05	1565.1
1982	22	291	847,442	11,428	.03	2912.2

Note.--All figures for the 1942-1982 period from Nova Scotia Deartment of Municipal Affairs, Annual Review of Municipal Statistics (various years) and Nova Scotia Department of Education, Superintendent's Report or Minister's Report (various years). Figures for 1865 from Fergusson (1964, p. 27).

[a] Includes municipal boards as well as rural and urban sections.

[b] Includes regional boards.

[c] Excludes rural sections (because rendered powerless after 1955) and regional vocational boards established in 1966.

[d] Based on membership requirements established by legislation in 1978.

The secular trend towards reduced opportunities for participation and the further weakening of access to decision making has been especially pronounced in rural areas and may serve to explain a great deal of the dissatisfaction detected by both the Graham and Walker commissions during their province-wide hearings. In the 1940s there was one school board member or trustee for every 60 persons in rural areas compared to one for every 1161 persons in the towns and cities (see table 12.2).

Over the next four decades all areas experienced a further dilution of representation, but the ratio of board members to citizens increased by a factor of approximately 2.5 in urban areas compared to a factor of approximately 55 in rural areas. By the 1980s, the urban population arguably had better access to school boards than the rural population. In the towns and cities now, one board member serves for every 2535 residents; in rural areas, one represents every 3320 residents.

The measures of participation and access examined here are not, of course, the only ones that could be considered. Vast changes in communications, transportation, and even the operating styles of school boards over the past 40 years have to some extent compensated for the transfer of power from small communities to regional centres. Moreover, it is easy to forget that many, perhaps even most, school sections were not model forums of participation. The record of apathy and indifference, or of domination of local affairs by petty cliques, has been noted in various sources (MacDonald 1964, ch. 9; Tilley 1978).[13] Yet critics of the section system could wax enthusiastic about the potential of the annual school meeting as a meaningful forum for direct democracy (Department of Education 1939, p. 23).

While it is difficult to say to what extent the democratic ideal has suffered with the drift towards more centralized government, the Graham Commission discovered a few years ago that a great many citizens evidently continue to thirst for the restoration of community control over basic services, such as education. Against this must be placed the unpleasant historical fact that institutions of local government, including the school sections, were forced upon a reluctant population in the first place (Beck 1973, chapters 3 and 4) and the more recent evidence, to be considered below, that low rates of participation and low voter turnout for both school board and municipal elections indicate all too clearly that many people prefer to take local government for granted.

THE PRESENT CONTEXT OF SCHOOL BOARD REPRESENTATION

The Structure of Representation

The present district school board system (excluding the Town of Hantsport) is based on proposals submitted by the Walker Commission in 1981. As shown in the Appendix, the districts differ from one another in just about every respect. The reason for this is that the Commission did not concern itself with criteria that are usually employed to redesign units of local government. Instead it sought to devise units that would be acceptable to local political authori-

Table 12.2:

Changes in Urban/Rural Representation on School Boards in Nova Scotia, 1941-1982

Year	Rural Population	Urban Population	Rural Board Members	Urban Board Members	Ratio of Rural Board Members to Population	Ratio of Urban Board Members to Population
1941	294,671	271,579	5160	234	57.1	1160.6
1946	311,069	266,893	5226	229	59.5	1165.5
1955	377,501	317,216	5328	219	70.9	1448.5
1971[a]	395,140	393,820	264	202	1496.7	1949.6
1978[b]	450,808	384,936	292	242	1543.9	1590.6
1982	464,728	382,714	140	291	3319.5	2534.5

Note.--All figures from Nova Scotia Department of Municipal Affairs, Annual Review of Municipal Statistics (various years) and Nova Scotia Department of Education, Minister's Report (various years). Calculations are based on the legal distinction between urban (i.e., towns and cities) and rural areas.

[a] Excludes rural sections and regional vocational school boards established in 1966.

[b] Based on membership requirements established by legislation in 1978.

ties. This approach was perhaps a direct consequence of the Graham Commission's failure a few years earlier to produce acceptable recommendations.

The Graham Commission's approach was based on a searching examination of relevant criteria. Such factors as adequate population size to support a strong local administration and to provide for the efficient delivery of services, patterns of urban and rural interdependence in various parts of the province, communities of common interest, and so forth, were all taken into account (Nova Scotia 1974, Vol. II, ch. 5, pp. 8-21). Immediate political considerations,such as the views of incumbent office holders, were not considered important. As a matter of record the chairman's conviction was that the province's institutions of local government were so modestly rooted as to be amenable to major changes (Graham 1963, pp. 248-59). And a background study prepared for the Commission gave support to this judgement (Beck 1973, pp. 5-6, 58-9). It was a judgement that proved to be fundamentally wrong. As the report of the select committee seemed to suggest, perhaps more than anything else the radical surgery proposed on local government boundaries undermined the Commission's report as a whole (Nova Scotia 1975, pp. 6, 10).

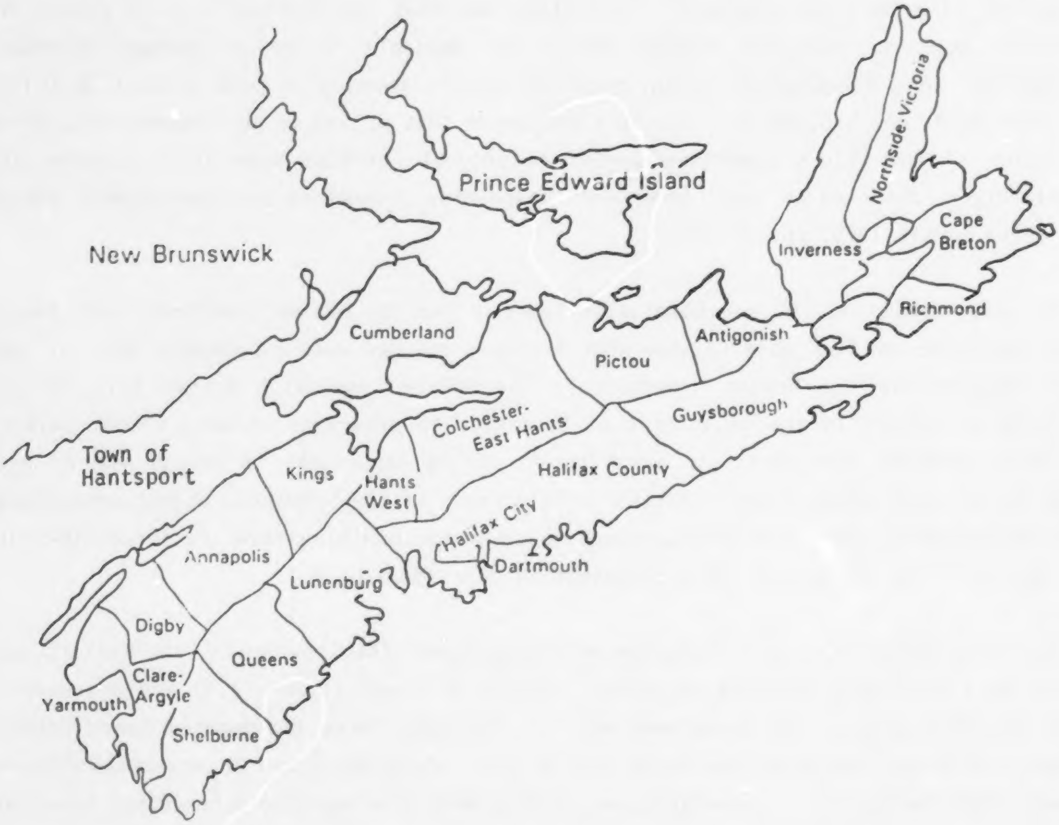
In this respect the Walker Commission learned from the Graham Commission's mistakes. The select committee had been able to show that boundary changes were acceptable, but not the grand design proposed by the Graham Commission. The Walker Commission heeded this advice, also consulting officials in the Department of Education to determine to what extent loyalties to particular counties and districts were likely to be important. Although its 21 districts scheme did not meet with ready acceptance in all parts of the province, objections raised to it (with one exception) were not strong enough to cause the municipalities to forego the financial advantages offered as part of the arrangement (Ricker 1983, p. 70).

In its proposals for combining the existing boards into new units, the Walker Commission adhered to established boundary lines (cf. figure 12.1 and figure 12.3) and preserved intact six established units: the preserved entities included three amalgamated board school areas and the city school boards of Dartmouth and Halifax. Only 15 of the 21 proposed units required boundary adjustments and in several cases nothing more than merging a municipal board with the board of school commissioners of a town or towns within its boundaries was required - something actually proposed some 40 years earlier by the Commission on the Larger Unit (Nova Scotia Department of Education 1939, p. 37).

This stress on the politically acceptable, to the exclusion of almost all other considerations, has left the province with a school board system that flies in the face of criteria normally thought to be important to school district design. The new districts vary considerably as to total area and population served; even the total number of appointed and elected positions differs greatly from board to board. And one board, as was previously noted, presides over two non-adjacent areas separated by a third school district.

Figure 12.3:

District School Board Boundaries, 1982



(Reprinted from Ricker (1983), Fig. 1.)

The Walker Commission itself was only partly responsible for this hodgepodge. Given the opportunity to participate in designing the membership structure of the new boards, municipal politicians in virtually every case, made certain that all towns were represented on the boards and some even added the dimension of representation by population. Provincial authorities compounded the difficulty by not accepting the Commission's prescription for half-elected, half-appointed boards. Retention of the tripartite structure swelled the membership of each board by half as many members again as had been contemplated by the Commission.

The result is that some of Nova Scotia's school boards are among the largest in the country, from the standpoint of student enrolments. In both respects, the system is at variance with model standards frequently stated in the literature of school administration (cf. Knezevick 1969, p. 225; Morphet, Johns, and Reller, 1982, pp. 242-3, 248). Earlier reports in Nova Scotia, too, had strongly recommended that governing councils and boards be restricted to sizes less than those established for several of the new district boards (Nova Scotia 1974, Vol II, ch. 6, pp. 22-3; Rowat 1949, p. 108).

Wide variations also appear in terms of political accessibility and the possibilities for participation. By way of illustration, the Halifax-Dartmouth metropolitan and surrounding commutershed area, which contains roughly one-third of the province's population, is served by three school boards with a total of 30 members. The remaining two-thirds of the population is served by 18 boards with a total of 252 members. There is one board member for every 7388 persons in the province's population centre, one for every 2220 persons in the hinterland. From the perspective of popular representation, the hinterland boards are roughly three times closer to the people that they represent, or, put another way, opportunities for participation on these boards are three times greater. While this seems to suggest that rural areas are overrepresented on school boards, as was indicated earlier, the opposite is true. As table 12.3 shows, urban areas within boards having mixed rural-urban populations are twice as well represented as rural areas.

This situation is a direct consequence of the procedures adopted to form the boards. Most rural municipalities were in a minority position during the negotiations that established the district board agreements and did not insist upon equitable representation. To do so in the face of demands from the towns that each be represented would have led to the establishment of large legislative assemblies rather than boards (some arguably are that anyway). The Provincial Government, which might have corrected the imbalance through its own appointments, did not as a matter of policy do so during the 1982-85 period (Donahoe 1985). Although provision exists in at least one district-board agreement for a provincial appointment to be made to correct urban-rural imbalances (Kings County District School Board 1981), an examination of the school board membership list for the province reveals that in most cases the province's appointments reinforced or even exaggerated existing urban-rural discrepancies (NSSBA 1983).

Table 12.3:

Urban/Rural Representation
On District School Boards, Elected and
Municipally Appointed Members, 1982-1985

	Rural			Urban		
	Seats	Population[a]	Population per Seat	Seats	Population[a]	Population per Seat
Appointed	38	433,897	11,418	42	204,448	4868
Elected	41	433,897	10,582	39	204,448	5242

Note.--Population basis 1981 census; calculations are based on the legal distinction between urban (i.e., towns and cities) and rural areas. Entirely rural (Clare-Argyle, Richmond) and entirely urban (Dartmouth, Halifax, Hantsport) boards omitted.

[a] Appointed and elected members serve the same population base in both rural and urban areas.

Qualifications and Terms of Office

Elected Members: The qualifications necessary to serve on a school board are not uniform. Elected members meet the same requrements as municipal councillors and aldermen. Prior to 1982 this meant that qualifications varied somewhat among the three classes of municipalities (cities, rural municipalities, and towns) because each was governed by its own statutory requirements. In the case of cities, qualifications for office were set forth in each city charter. The Graham Commission argued that this system was "unduly complex and restrictive" (Nova Scotia 1974, Vol. II, ch. 6, p. 35) and a reform law passed in 1980 established common standards for all municipal units (SNS 1980). The basic requirements are now similar to most other provinces (Tindal and Tindal 1984, p. 248). A candidate must be qualified to vote (i.e., be 18 years of age, a Canadian citizen or British subject, and resident in the municipality for six months) and satisfy a few extra requirements. These include an additional period of residency of six months in the municipality and a condition, somewhat unusual in Canada, that the candidate not be in arrears of taxes or rates (SNS 1980, section 15(1)(c); Crawford 1954, p. 139). There is also a long list of persons who are disqualified, including judges, office holders at other levels of government, convicted criminals, and so forth.

The most controversial provision relates to conflict of interest. Under the Municipal Elections Act anyone who "accepts or holds office or employment in the service of the municipality or any utility, board, commission, committee, or official thereof other than a school board" is prevented from seeking elected office (SNS 1982, section 4). This provision of the Act, applying mutatis mutandis to school board candidates (SNS 1978, section 7), is widely interpreted as preventing teachers from serving on the boards that employ them (Antoft 1984, p. 5; MacKay 1984, p. 27).

Until 1982, a section of the School Board Membership Act prevented anyone from seeking election to a school board who was "directly or indirectly" interested in any contract entered into by the board (SNS 1978, section 12). In 1982, the election of a candidate in the Sydney electoral district of the Cape Breton District School Board was challenged under this section of the Act. The candidate's wife was employed as a teacher by the Board. In a rather peculiar judgement, the court found that the candidate had a conflict of interest that would have to be declared at Board meetings as the occasion demanded, but not an indirect interest that prevented him from seeking election in the first place (Ryan 1983, p. 4). The province moved quickly to rescind the section in question in order to place school board candidates on the same basis as candidates for other local government offices (Nova Scotia 1983, pp. 2283-84). In effect this meant that the test for conflict of interest was, for most prospective candidates, removed from the qualifications stage. Conflict-of-interest legislation covering the actions of municipal politicians in office, which is based on Ontario law, was adopted in 1982 and applies now to school board members as well (SNS 1982). However, as is noted below, this change has not removed the question from the political agenda; further reforms are under consideration at the present time.

Appointed Members: Appointed members are not required to possess the same qualifications as elected members. In fact, no particular statutory requirements are attached to either provincial or municipal appointments. The only restriction that exists, and it applies to all three categories of board membership, is that a member who ceases to reside in the municipality he or she represents is required to resign (SNS 1978, section 13). Curiously, however, there is no requirement that appointed members be residents of the municipality in the first place. Although almost all members are residents, it is not unknown for an appointed member to list a home address outside the municipality he or she represents on the school board.

Similarly, vocational school advisory board members are not bound by statutory qualifications. The one-third of the membership of each board that is composed of nominees put forward by the district board(s) must qualify under the School Board Membership Act, but the remaining appointees are not required to fulfil prescribed qualifications. A Provincial Government appointee who moves outside the region served by the board is not obliged to resign his or her seat; however, a district board representative on a vocational board is required to do so (SNS 1984, section 54(10A)).

Terms of Office

Initial Appointments: Terms of office for the various categories of school board membership are also not uniform. For elected members, matters were considerably simplified by the 1980 reform law mentioned above. Up until then terms of office varied almost to the same extent as did qualifications for the various classes of municipalities. Since 1982, all municipalities have non-overlapping three-year terms and elections are held throughout the province on the third Saturday in October of each designated election year (SNS 1980, section 8). Successful candidates assume office the following December 1.

Members appointed to school boards by municipal governments may serve one-, two-, or three-year terms at the discretion of the local council (SNS 1978, section 13(1)). These members must be appointed at the first meeting in November and take office on the same date as elected members. Provincial appointments are less restricted. Terms are the same as for municipal appointments, but the government is not bound by particular commencement and expiry dates. Vocational board appointments are for terms not exceeding three years, but again, no dates are fixed for the start or conclusion of a member's term. All board appointments are renewable. The tendency in the past has been for the average period of service to be slightly less than two three-year terms (Sullivan 1979, p. 6).

Dismissal and Replacement: Under certain circumstances, appointed and elected members must resign or can be dismissed from office. As noted above, a change of residence to another municipality obliges a member to resign, but it is not unknown for this requirement to be ignored. Members who miss three consecutive meetings without providing a satisfactory reason to their colleagues may be expelled, subject to the approval of the Minister of Education. Members of municipal councils who are appointed to school boards are required to resign if for any reason they give up their council seats (SNS 1978, section 13). If a vacancy occurs, as a result of a resignation or for any other reason, for an appointed position, a replacement is made by the appropriate appointing authority (SNS 1978, section 14); if a vacancy occurs in an elected position the province appoints a replacement (SNS 1978, section 10). There is no provision for by-elections to fill vacancies that might occur in the ranks of elected members, although a recommendation to that effect has been before the Government for some time (Nova Scotia Department of Municipal Affairs 1983, p. 51).

The most controversial issue in connection with dismissals concerns the status of provincial appointees. Until 1982, the patronage tradition was generally understood to mean that a provincial appointee served on a board not as an agent of the government, but as an individual member free to exercise his or her own judgement. In a much publicized case in 1982, however, the province dismissed one of its appointees on the Dartmouth District School Board for not supporting a particular policy it wanted adopted. At issue was a board decision to close a downtown school in the face of considerable community oppositon. Cabinet members from Dartmouth ridings were successfully lobbied by community activists, but they also voiced concern that the sole remaining downtown elementary school was being closed at a time when considerable provincial financial support was being provided to rehabilitate the area. The Government's intervention was based on the mistaken notion that a switch of only one vote was all that was necessary to reverse the Board's decision. By the time the Board took action, however, opinion among the members shifted considerably and efforts to reopen the question failed by a wide margin. Although the Government lost its case, it remained adamant that it was within its rights to issue policy directives to its own appointed members (Duffy 1982; Orr 1982; Nova Scotia 1982, p. 3168), a view editorially supported by the province's one major daily newspaper (Halifax Chronicle-Herald 1982). Although other cases of provincial appointees being issued voting instructions have not been reported, the Government has still not reversed its position on this issue.

Selection of School Board Members

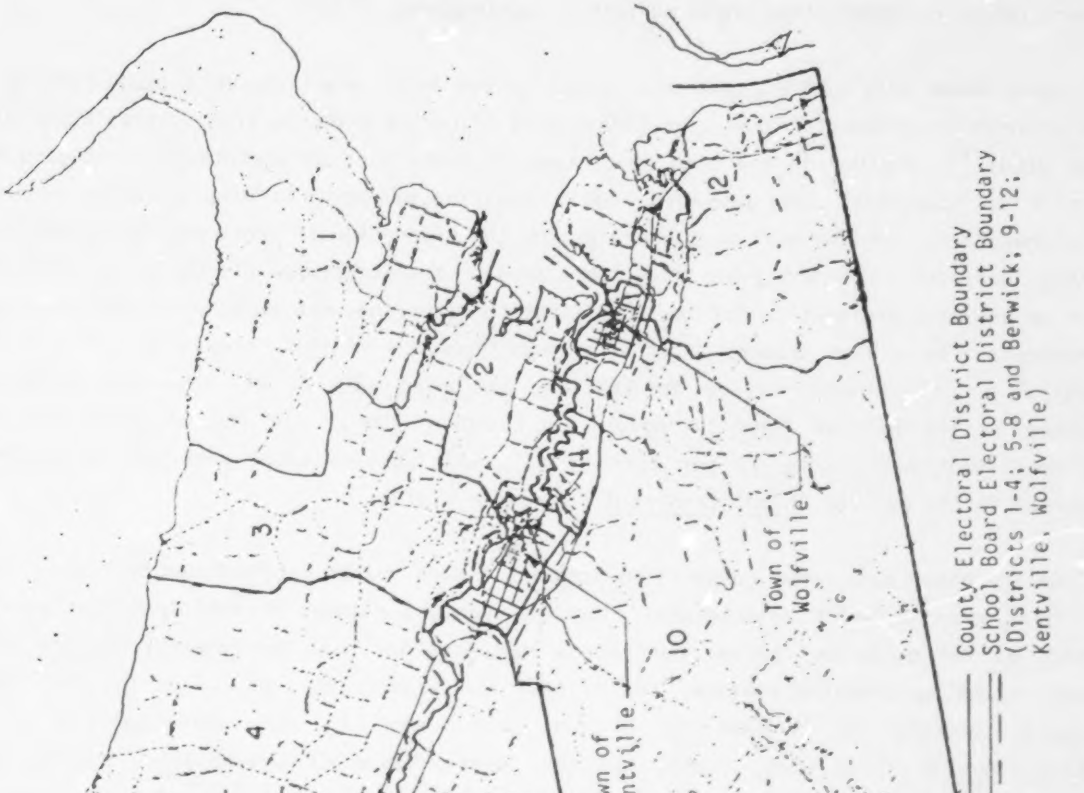
Elected Members:

School board elections are conducted within the constraints of a well-established non-partisan tradition. While campaigning is not entirely devoid of party influence, especially in the Halifax area (Cameron and Aucoin 1983, p. 179), such influence is in the form of organizational rather than policy support. Emphasis is upon personalities rather than issues, service rather than specific promises. For school board elections, especially, a tendency in many areas is to deny that politics is even involved in the process.[14] The issueless campaigns, that are almost always the inevitable result, are predictably dull and attract little press coverage.

In the above respects, candidates in Nova Scotia deal with conditions that are fairly common throughout the country. The local situation, however, has presented a few additional problems. First of all, because school board elections are of comparatively recent origin, they have not yet made a firm impression on the public mind. That only one-third of the positions is open for election is not conducive to strong voter interest or even keen competition among candidates for the available seats. A second problem is also created by the system of partial election: special voting districts must be devised just for the purpose of electing school board members. In rural areas these districts are a combination of county electoral districts or, alternatively, small towns combined with surrounding county electoral districts - as many as six districts are used in some municipalities (see figure 12.4). In urban areas, other

Figure 12.4:

Electoral Districts, Kings County and Kings County District School Board


1
2
3
4
5
6
7
8
9
10
11
12
Town of Wolfville
Town of Kentville
Town of Berwick
ricts,
County Electoral District Boundary
School Board Electoral District Boundary
(Districts 1-4; 5-8 and Berwick; 9-12; Kentville, Wolfville)

(Reprinted from Municipality of Kings County, Planning and Development Department, Highways and Roads Map.)

than Halifax and Dartmouth, the general rule is to have one elected member for each town (two in the case of the City of Sydney). Dartmouth runs city-wide elections for school board positions (but not for city council seats), while Halifax wards are cobbled together to form special electoral districts. In all cases school board candidates are forced to run campaigns in much larger districts than their municipal counterparts.

These added difficulties have not helped to put board elections on a sound footing. One sign of voter disinterest is the significant rate of ballot-plumping that occurs, especially in urban areas.[15] Another is the high percentage of seats that go uncontested. Staging multi-district or town-wide campaigns must seem a daunting prospect to many would-be candidates, and perhaps this for the most part explains why the proportion of seats won by acclamation has greatly increased in recent years (see table 12.4). Yet structural circumstances alone do not offer an adequate explanation for low participation rates, because municipal elections are also characterized by a high proportion of uncontested seats. In 1985, nearly 30 per cent of all municipal positions were won by acclamation, including half of all mayoralty contests (as reported in the Halifax Chronicle-Herald 21 October, 1985). In one election year in the not-too-distant past, some 70 per cent of all municipal positions were won by acclamation (reported in the Halifax Chronicle-Herald 3 November, 1979).

On the other hand, when competition actually occurs, voter interest can be high. In 1982, the first year in which coincidental elections for all classes of municipalities were held, turnout at the polls was 57 per cent across the province (Halifax Chronicle-Herald 1985), a figure exceeding Canadian averages (cf. Tindal and Tindal 1984, p. 247). The 1985 campaign produced turnouts in the 60 to 70 per cent range in many municipalities (Halifax Chronicle-Herald 21 October, 1985). In the Halifax-Dartmouth metropolitan region, several school board positions were keenly contested, including the demanding city-wide campaign in Dartmouth, where the leading school board candidate received more votes than a popular mayor-elect (himself a one-time school board member). But in contrast with these signs of a vibrant local democracy, one of four school board seats in the City of Halifax and several positions in the surrounding areas of Halifax County were gained by acclamation.

Appointed Members: Provincial appointments to school boards have long been made on a patronage basis. The customary procedure is for the Minister of Education to ask the member of the Legislature for the local area concerned for suggestions or, if the area is served by an opposition member, the local branch of the party association (Donahoe 1985; Mitchell 1985; Moffatt 1985). This way of making appointments has been condemned by both major political parties, but only when they are in opposition (cf. Nova Scotia 1978, p. 1819, and Nova Scotia 1982, p. 2745). The New Democratic Party supports completely elected boards, and has attempted occasionally to focus public interest on the issue by introducing private members' bills designed to achieve that end. The Party's one member in the Legislature during the 1982 session voted against the Government's bill to perpetuate the appointed board system, but did support legislative amendments designed to reduce the number of school boards from 74 to 21;

Table 12.4:

Contested Positions, Acclamations
and Vacant Positions on
Nova Scotia School Boards, 1978-1985

	Election Year					
	1978/9		1982		1985	
	N	%	N	%	N	%
Contested	75	(67.6)	61	(62.9)	45	(46.4)
Acclamation	35	(31.5)	36	(37.1)	49	(50.5)
Vacant	1	(0.9)	0	(0.0)	3	(3.1)
Totals	111	(100.0)	97	(100.0)	97	(100.0)

Note.--1978/9 figures based on results reported in the Halifax *Chronicle-Herald* for 45 of 55 boards that held elections in 1979 and 2 city boards that held elections in 1978. 1982 and 1985 figures based on reports in the Halifax *Chronicle-Herald* for all elected positions.

thereby the one member also backed a reduction of the number of elected members then serving on school boards (Nova Scotia 1982, pp. 2776, 3181).

The procedure followed by the government in making its appointments virtually assures that the lion's share is divided among party faithful. Occasionally, however, appointments appear to be made for other reasons. A study of the Halifax School Board in the 1971-1976 period, for example, showed that a significant proportion of provincial appointees did not have any political affiliation (Procos 1976). However, a recent investigation of a mixed rural-urban board in central Nova Scotia, which is likely to be more representative of the general situation, revealed that all provincially appointed members were affiliated with the governing Conservative Party (Fulton 1983).

Within the framework of the patronage system, the Government is sometimes influenced to make particular kinds of appointments. Over the past several years, the Minister of Education has also been Minister responsible for the Council on the Status of Women. This connection has had a strong bearing on increases made in the number of women appointed by the province to school boards (Donahoe 1985). The Government has also been known to use its power of appointment to increase minority-group representation on a school board. For example, when the new district system was established in 1982, the Government responded to a request from the Federation of Acadians to bolster Acadian representation on one of the Cape Breton school boards (Ricker 1983, p. 75). And as noted previously, the Government has also bound itself to maintaining a locally prescribed balance of rural and urban representation on at least one of the district boards. The foregoing examples indicate only that the Government may be influenced to make special adjustments; official policy, however, and for the most part, official practice, is to maintain a free hand in the matter of appointments (Donahoe 1985).

Municipal appointments are made in accordance with whatever procedures local councils choose to adopt; there are no statutory restrictions. The most common procedure is for a council to select members from among its own ranks. A few district boards, such as Queens and Halifax, will make outside appointments, but most boards are preoccupied with the question of financial control and look to council appointees (often including the warden or mayor) to ensure that they have the strongest input possible into the board's budget deliberations (Brownlow 1986; Mackenzie 1986). This tendency is so pronounced, in fact, that one longstanding board member, a former president of the Nova Scotia School Boards Association, was moved to comment recently that the real positions of influence on school boards are those held by the municipal appointees (Gorham 1985).

Most municipalities make appointments after preliminary recommendations are made by a nominating committee. Usually, school board appointments are considered at the same time as appointments to other boards and commissions. In some cases, such as the Dartmouth City Council, members are chosen by secret ballot if more aldermen than are required express an interest in the available number of positions (Brownlow 1986). In similar circumstances, other municipal councils rely on the nominating committee's judgement (MacKenzie 1986).

The most elaborate procedure for selecting members is the one used by the Halifax City Council. During the late 1970s, the Council had appointed only aldermen to the board, but this practice ended when the Halifax Commission on City Government - a citizens' panel set up by City Council to review its administrative structures and operations - recommended that Board and Commission appointments be opened up to broader citizen participation. The Commission had also recommended that a broad cross-section of the city's population be represented on such bodies, and that no more than two council members be appointed to any single board or commission (Halifax City Council 1982, pp. 34, 63, 88).

For the most part, the Commission's recommendations were accepted (Halifax City Council 1983). The school board is presently composed of one alderman and three citizens. All appointments are made on the recommendation of a nominating committee, composed of the mayor and deputy mayor following a publicly advertised call for applications (Wallace 1986). Interested citizens are required to submit résumés that outline their interests and qualifications (Waye 1986). For school board appointments the most important criteria have been fair distribution of appointments among the city's neighborhoods and gender balance (Wallace 1986). Ironically, while current practice is more in keeping with democratic ideals, it has not contributed towards increased minority group representation in civic affairs, and in the case of the school board, may actually have resulted in a decrease. The reason is that minority group members have been reluctant to apply for school board positions under the present rules of competition (Wallace, 1986). The situation might have been different had city fathers accepted the Commission on City Government's suggestion that ethnicity be among the factors considered in making appointments.

Characteristics of School Board Members

The General Profile: If elsewhere it remains true that the "stereotypical school board member [is] a middle-aged male, professional, married, with children in the public school, and active in the organizational and associational life of the community" (Cistone 1975, pp. 53-4), then school board members in Nova Scotia conform to the established pattern. Evidence on the point is admittedly limited, but it does not in any sense contradict survey results obtained in other jursidictions.

Only one comprehensive investigation of school board member characteristics has been carried out in Nova Scotia. Undertaken by Sullivan (1979), before partly elected school boards were introduced, the investigation showed that the average board member was a "white male between ages 40 to 50, employed in a managerial or professional occupation ... had experience as a member of a home and school association and [had] a child under 19 years of age (p. 22)." In addition to Sullivan's study, two case-study profiles of the Halifax School Board's membership in the 1971-1976 period further confirmed the accuracy of the stereotyped view (Martin 1976; Procos 1976). Survey evidence gathered in Halifax (Coolen and MacKenzie 1980) and in central Nova Scotia (Fulton 1983) since the passage of the reform law that established partly elected boards, indicates that elections themselves have not had any effect on the general profile of board membership. But while the broad picture remains essentially unchanged, an examination of the elected members' category reveals a major increase in the proportion of women since 1979 (see table 12.5).

The reason the pronounced shift within the elected category has had only a modest effect on the overall situation is that municipal governments, which are still mainly male preserves, tend to appoint only their own members to the boards. The result is that the vast majority of municipal representatives on school boards are men - over 87 per cent in the 1982-85 period. Thus, as a comparison of tables 12.5 and 12.6 shows, the substantial change in the category of elected members and the province's heightened concern that a balance be struck between males and females within its category of appointments, for the most part have been offset by the appointment practices of municipal governments: only 37.5 per cent (109 of 288) of all board members in the 1982-1985 period were women.

Representation of Minorities: Minority groups are not well represented on Nova Scotia's school boards today and very likely were much better off in this respect before the larger units of administration were formed in 1942. Up until then the main ethnic and religious minorities lived apart in the rural areas and therefore controlled their own school sections (Sissons 1959, p. 330). The Commission on the Larger Unit (1939) was sensitive to racial differences (at that time the term was used rather loosely to cover both differences of colour and ethnicity) in the southern area of the province and recommended that the small rural municipalities be used as school districts to avoid unnecessary conflicts (Nova Scotia Department of Education 1939, p. 42).[16]

The Commission's recommendation most assuredly worked to the advantage of Acadians in the District of Clare, who were spared being lumped together with the English-speaking population in the rest of Digby County, and were as a result able to establish an unofficial French-language municipal school board (Deveau 1977, Vol. II, p. 316). Acadian interests elsewhere in the province might have been better protected had the Roman Catholic Church been able to offer strong support. Despite official tolerance of Roman Catholic-controlled public schools in all areas of the province, including the Acadian districts, the Church was either unwilling or unable to oppose the gradual anglicization of the Acadian schools (Rawlyk and Hafter 1970, pp. 29-31). By the time the Commission on the Larger Unit reported, assimilation was already well advanced in most Acadian areas (Joy 1972, p. 35). The larger units imposed English as the language of administration in those areas outside of Clare where pockets of French-speaking Acadians remained, thereby aiding the process of assimilation.

Apart from the language question, the influence of the Roman Catholic Church remained reasonably strong in areas where it had traditionally provided schooling. Prior to Confederation, Roman Catholics had endeavoured to secure legislation to establish a separate school system, but the most they were able to achieve was an understanding that their interests would always be protected (Sissons 1959, p. 321). In practical terms, this meant different things in different communities, but in urban centres, such as Halifax, New Glasgow, and Sydney, a dual

Table 12.5:

Male/Female Representation

Elected Positions, Nova Scotia

School Boards, 1978-1985

	Election Year					
	1978/9		1982		1985	
	N	(%)	N	(%)	N	(%)
Males	64	(61.0)	58	(60.0)	44	(46.8)
Females	41	(39.0)	39	(40.0)	50	(53.2)
Total	105[a]	(100.0)	97	(100.0)	94[b]	(100.0)

Note.--1978/9 figures based on results reported in the Halifax Chronicle-Herald for 45 of 55 boards that held elections in 1979 and 2 city boards that held elections in 1978. 1982 and 1985 figures based on reports for all elected positions in the Halifax Chronicle-Herald.

[a] **One vacancy and 5 seats for which gender of winning candidates not specified in newspaper reports are excluded.**

[b] **Three vacancies excluded.**

Table 12.6:

Male/Female Representation

Appointed Positions, Nova Scotia

School Boards, 1979-1985

	Municipal Appointments				Provincial Appointments			
	1979-82		1982-85		1979-82		1982-85	
	N	(%)	N	(%)	N	(%)	N	(%)
Males	64	(78.0)	85	(87.6)	38	(55.9)	50	(51.5)
Females	18	(22.0)	12	(12.4)	30	(44.1)	47	(48.5)
Totals	82	(100.0)	97	(100.0)	68	(100.0)	97	(100.0)

Note.--Figures for the 1979-82 period based on data from 32 of 74 school boards regulated by the School Boards Membership Act (Statutes of Nova Scotia, 1978) housed with the records of the Commission on Public School Finance (Nova Scotia, 1981) at the Public Archives of Nova Scotia (Record Group 44, Vol. III, File 128). Figures for the 1982-85 period derived from Nova Scotia School Boards Association (1983).

Roman Catholic-Protestant neighbourhood school system was developed, and, by dint of gentlemen's agreements, a certain number of positions on local school boards were also allocated to Roman Catholics. In Halifax, four positions out of 12 were so reserved, and for many years the Roman Catholic members sat as a special panel to screen applications for teaching positions in the city's Roman Catholic schools (Sissons 1959, pp. 331-4).

Accommodative practices extended beyond the school system in Halifax. The position of mayor alternated between a Roman Catholic and a non-Roman Catholic, while certain senior positions in the civic administration were allocated to Roman Catholics and non-Roman Catholics; it was also understood that some of the provincial ridings within the City were reserved for Roman Catholics, while others were set aside for non-Roman Catholics (Wallace 1986). Towards the end of the era of the gentlemen's agreements, a Roman Catholic mayor arranged to have the chairmanship of the School Board alternate between Roman Catholic and non-Roman Catholic members (Lugar 1986).

Accommodation based on religious interests ended after the city annexed several neighbouring suburban areas in 1969, but even before that date the convention of alternating mayors had been challenged (Cameron and Aucoin 1983, p. 171). Annexation had immediate implications for School Board policy, because the suburban schools had not been set up on a dual basis and little support existed for such a policy in the newly acquired areas. The School Board responded to this situation by extending religious instruction to the suburbs by means of a compromise known as the McQuinn Formula. This formula provided for a weekly one-hour period of religious instruction for any faith that wished to organize a class; for all other students, a study period was provided (Halifax Board of School Commissioners, 1968). When declining enrolments forced an end to the dual-neighbourhood school system in the older, peninsular part of the City a few years later, the same formula was applied to the schools that remained in operation (Cameron and Aucoin 1983, p. 171).

Although the long tradition of religious accommodation on the City's school board also ended in the 1970s, city fathers remained sensitive to the issue of minority-group representation. Throughout the post-war period, members of the Jewish and Black communities had frequently been appointed to the School Board, although not with sufficient regularity for the practice to have been considered a convention (Lugar 1986; Wallace 1986).[17] By the time the Halifax Commission on Government reported in 1982, however, City Council had reverted to appointing only aldermen to the Board (Halifax City Council 1982, p. 85). As noted earlier, the much more open process of selecting school board members that was adopted as a result of a commission recommendation has had the rather ironic effect of reducing minority-group representation on the Board.

Elsewhere in the province, with the notable exception of the Clare-Argyle School Board, minorities have by and large been underrepresented. Sullivan (1979) found that non-whites occupied only .5 per cent of all school board positions, although when his study was undertaken Blacks comprised 6.6 per cent and Indians 2.2 per cent of the province's population.

Discussions with government and school board association officials (Carney 1985; Donahoe 1985) indicate that the situation remains basically unchanged today.

Minority representation on governing and administrative agencies usually assumes the existence of a consensus about what the minority stands for. No such assumption can be made in Nova Scotia, however, especially with reference to the Acadian community. Acadians are well represented on the four district school boards in areas of the province where they are concentrated. But even for the Clare-Argyle School Board, seats are not actually reserved for French-speaking Acadians; it is simply assumed that persons whose preferred language is French will form the majority on the Board. Thus far the assumption has held up, but it is not inconceivable that some time in the future a majority of members could be drawn from the assimilated Acadian population and other English-speaking residents of the two regions served by the Board. The extent to which the Acadian community is divided on the issue of language rights was recently brought to light in Inverness County, Cape Breton, where the spokesman of an Acadian citizens' group, dedicated to blocking increased French-language instruction, waged a successful campaign for a position on the district school board. At the same time, his group rallied enough support to defeat a referendum question proposing the extension of French-language instruction in a local area school (Beltrame 1985; outcome reported in Halifax Chronicle-Herald 21 October, 1985).[18]

Opposition from within a minority group to the idea of special rights or status is not a phenomenon peculiar to Acadians. In other groups, however, reticence rather than outright opposition to activist leaders tends to be the characteristic mood. Both the Indian and Black communities have had strong provincial associations in recent years, but neither has pursued the question of representation on official agencies with anything like the vigour displayed by the Acadian Federation. The Union of Nova Scotia Indians did make a case for school board representation in its brief to the Graham Commission (see Note 6), and perhaps the Commission's proposal that ministerial appointments to school boards be permitted to compensate for problems of underrepresentation was a sympathetic response to this request. But the matter was not followed up, and in recent years the focus of Indian efforts has been on self-government and therefore band-controlled rather than integrated schooling. Nevertheless, significant numbers of Indian students attend off-reserve schools whose interests are not presently represented on boards that provide a service to them.

Until 1954, Blacks were confined to legally segregated schools (Winks 1969, p. 186). Although these schools fell under the authority of the larger units of administration organized in the 1940s, special provision was not made for Blacks to be represented on the municipal boards. Despite difficulties that Blacks have experienced over the years in obtaining adequate school services, their organizations have refrained from asking for special representation on school boards. The closest they have come to making such a demand was a request of a citizens' group in the Preston area of Halifax County in the mid-1970s for a special committee to advise the school board on policy questions (Murray 1985, pp. 14-5). The community did not get exactly what it asked for, although a "monitoring" committee was established after the Human

Rights Commission was brought in to mediate a settlement between the board and the group (Nova Scotia Human Rights Commission 1975). Only recently has the main organization representing Blacks (the Black United Front) considered pressing for representation on the boards, but it has yet to develop a policy on the matter (Doyle 1985).[19]

THE OUTLOOK FOR REFORM

The Possibility of Incremental Change

When the present district system was established in 1982, the Government recognized that it possibly had not found a long-term solution to the problem of local school administration (Nova Scotia Debates of the House of Assembly 1981, p. 2859; Spencer 1981). A clause in the local agreements provided for an assessment of the structure of district operations within the initial five-year period. Thus far the Government itself has not initiated any such reviews, although from the beginning it established standing and ad hoc departmental committees to examine and make recommendations on levels of funding support and other aspects of the new system. It is clear, however, that there are structural problems that require attention. Some of these concern only a few boards, others are of a sytem-wide nature.

In the first category is a number of largely unrelated problems, including the membership size of some boards, allegations of unfair treatment by some municipalities within certain district boards, and the future of vocational education in the two boards that still operate regional vocational schools. The first has been identified as a problem by the Shelburne District School Board, and, according to newspaper reports, other districts also have recognized that they are encumbered by too many board members (Halifax Mail-Star 1984). It is the sort of problem that can be solved readily if a consensus exists at the local level; if, however, each municipal unit continues to insist upon representation on a board, reductions can only be achieved by government fiat. The second problem has arisen on a number of occasions within the Lunenburg District School Board. Again, according to newspaper reports, the experience has not been an uncommon one (Halifax Mail-Star 1984b). In Lunenburg's case, there has even been an outburst of secessionist sentiment by members of the Town of Lunenburg Council, who have steadfastly opposed efforts made by the district board to rationalize the delivery of education services at the Town's expense (Schneidereit 1984). Although the right to secede was not included in the legislation that established the district board system, it is possible for the Cabinet to reorganize any or all boards without reference to the Legislature (SNS 1982, section 42 (7)(8)). As of the autumn of 1985, however, no formal requests of this sort had been submitted to the Department of Education, nor had the Government contemplated making any changes on its own (Donahoe 1985). The third problem has arisen because of the Government's recent decision to transfer vocational education from the Department of Education to the new Department of Human Resources Development and Training. The two district boards that operate vocational schools now find themselves reporting to two separate ministries. It seems likely that steps will be taken to eliminate this anomaly as the Government develops new organizational forms for the vocational system that are appropriate to the new department's mandate.

Issues that cut across the entire system are much more difficult to resolve. Foremost among these is the ongoing debate over fully elected boards. Infrequent soundings of public opinion over the years have shown this to be a reform that Nova Scotians support.[20] The major interest groups, with the exception of the UNSM, have also lined up in support of fully elected boards, and a recent New Democratic Party task force on education found, during the course of its province-wide hearings, that there continues to be strong public support for fully elected boards (MacDonald and Myers, 1985). Pressure on the Government has also increased as a result of growing public awareness that Nova Scotia is now isolated as the province with the least democratic form of local school adminstration. There remain, nevertheless, two major obstacles to reforming the basis of school board membership.

The first is the strength of the patronage tradition in virtually all areas of government activity (Beck 1978, pp. 177-178; Murray 1983, p. 22). Although school board appointments seem an unlikely prize to protect in the fact of sustained public criticism, from the Government's standpoint they serve a number of useful functions. As a means of rewarding talented party faithful (and just about everyone agrees that governments past and present have attempted to find able people to serve on the boards), they are an inexpensive reward that also provides useful training for a career in public life. The present Government and its predecessors have also been determined to retain a measure of control over the boards (Stanfield 1976). The Dartmouth incident discussed earlier shows that direct intervention on particular policy issues is a rough nettle to grasp, but indirect influence can be brought to bear through the appointment of citizens whose outlook on broad policy questions - such as financial constraint, special education, and so forth - is generally known. Probably more important than the policy orientation of board members, however, is the Government's interest in keeping a finger on the pulse of local community politics - appointed members are in a position to forewarn it of potentially difficult, political problems and to provide useful information about community expectations. This latter function is likely to be valued especially by a populist leader of the sort that the present premier has shown himself to be (Murray 1983).

The second major obstacle to having fully elected boards is the entrenched opposition of the influential Union of Nova Scotia Municipalities (UNSM). The UNSM is strongly opposed to shared tax authority at the local level (Power 1985; Zwicker 1985), a measure that the Government regards as a necessary concomitant to fully elected boards (Donahoe 1985).[21] The UNSM is, however, prepared to support half-elected, half-appointed boards - provided that appointments are made by municipal authorities rather than the Government (UNSM 1984, pp. 21-2). Municipal leaders are no longer united on this issue, however. In recent years some prominent local politicans, most notably ones with experience on the district boards, have spoken in favour of fully elected boards with tax authority (e.g., Comeau 1985). Perhaps because there is a split in municipal ranks the Government has openly flirted with the idea of setting up fully elected boards. Two years ago the Minister of Education announced in the Legislature that the matter was under review and that a suitable bill might be brought forward within a year (Nova Scotia Debates of the House of Assembly 1983, p. 2003). He also appeared to lend support to the idea in various public statements, something that prompted critical editorial comment in the Halifax Chronicle-Herald (1983).

Although nothing came of the Minister's musings on the subject, the idea of elected boards retains a certain amount of appeal for the government. The question is not one of currying favour with the important interest groups or of restoring to the public its right to a democratically controlled school system (if these were concerns, something would have been done years ago) but, rather, of finding a way to make the municipalities assume a greater share of education costs. Since the Walker recommendations were adopted, many municipalities have refused to provide supplementary funds for the district boards. Elected boards with the power to levy taxes would be a remedy for this problem, or at least so the Government has argued. Local communities could then decide independently of the municipal councils whether to continue support for programs and schools that are no longer economically viable, or to provide extra services that are beyond the Government's means to finance on a province-wide basis (Nova Scotia Debates of the House of Assembly 1983, p. 2002; Vibert 1983b).

A second system-wide issue concerns the role of the district boards in school construction. Under the Walker Commission reforms, responsibility for major capital spending was transferred to the province. The Commission had recommended, however, that a provincial committee composed of representatives of the district boards be established to determine building-project priorities. The recommendation was not accepted, but the NSSBA has continued to press the Government for action. The recommendation has remained in the news because of numerous school-construction delays in the Halifax suburban area of Sackville, which took out its frustrations on the Government for this and other reasons by electing a member of the New Democratic Party to the Legislature in 1984. The issue also has been kept alive by a rare piece of investigative journalism in the Halifax newspapers, which showed that in recent years a disproportionate number of building projects had been approved for Conservative ridings (Jones 1985).[22]

A third system-wide issue concerns the rights of teachers to serve on school boards. As noted earlier, current provincial law has been interpreted to mean that teachers cannot seek election to the boards which employ them. Both the UNSM and the NSSBA are opposed to teachers serving on any school boards or municipal councils and succeeded in having this point of view adopted by a Government committee that reviewed the Municipal Elections Act (Nova Scotia Department of Municipal Affairs 1983, pp. 7-10). The NSTU, unlike the NSSBA and the UNSM, was not represented on the Committee, but it successfully lobbied the Minister of Municipal Affairs to prevent the recommendation from being implemented (MacDonald 1985). Subsequently, the Minister repudiated this section of the Committee's report by announcing his support for the removal of any remaining obstacles to teachers holding local office (Lawson 1986). However, no action was taken and that Minister of Municipal Affairs was recently reassigned to the Education portfolio. The question now rests with a new Minister who has yet to declare his position.

A final system-wide issue concerns provisions made for the linguistic minority in local school administration. At the present time the Clare-Argyle Board is the only official minority-language school board in the province, even though Acadians are found in significant numbers in the Yarmouth area and in the Cape Breton counties of Inverness and Richmond. A recent court reference in Ontario lends support to the view that, under the Charter of Rights, the linguistic minority must control its own schools (Supreme Court of Ontario, Court of Appeal 1984). If the Court's opinion becomes established jurisprudence, Acadians in areas other than Clare and Argyle will be able to seek control over their own schools.

As indicated earlier, however, the politics of language usage within Acadian communities is a tangled skein. Any attempt by activist Acadian parents to isolate the management of some schools from others would undoubtedly result in serious conflict. Much more likely, it seems, is a challenge to the present district board arrangement by the English-speaking minority of Argyle. A group known as the Argyle Action Committee had earlier threatened action under the Charter to secure special managerial powers over schools attended mainly by the children of English-speaking residents of the region (Gorham 1982a). Litigation did not proceed at the time, but, on the other hand, nothing was done to redress the complaint. It is not inconceivable that the Ontario court reference could inspire another round of political, or, possibly, legal action in Argyle.

The Possibility of Major Structural Change

Despite problems that exist with the present district system, no one has suggested that a major overhaul is necessary or desirable at this time: the system is still too new for such a challenge to be launched. Thus, during the 1984 provincial election campaign the district boards were not an issue, even though the Liberal Party had severely criticized the Government's handling of the Walker Report and had voted against the implementation legislation (Nova Scotia Debates of the House of Assembly 1982a, p. 2776). Even in Clare and Argyle, where sitting Liberal members had accused the Government of selling out Acadian interests (Duffy 1982b; see also a report in the Halifax Mail-Star 3 March, 1983), the Walker Report had ceased to be an issue. In fact, Government policy was completely vindicated by local residents when they elected Conservative members to the Legislature for these two historically Liberal constituencies.

Another reason that major structural change seems unlikely is that the overall track record of top-down attempts to achieve local-government reform is rather dismal. The Walker Commission stands as an exception in a long history of such attempts which includes the Graham Commission Report and the earlier Rowat Report. Both were examples of Cabinet-inspired reform initiatives that simply went nowhere, but even local area reviews initiated by municipal leaders have failed to gain acceptance (Beck 1973, pp. 45-7). On the basis of this experience further efforts to fashion master plans seem unlikely, but pressure has continued to mount in particular areas for reform, most notably in industrial Cape Breton and the metropolitan Halifax suburban fringe area. Even at the time the Select Committee of the Legislature examined the Graham Commission's recommendations, it was recognized by some municipal leaders that changes were necessary, and the Committee itself did not question the Commission's basic finding that the structure of municipal government was in serious need of revision. Yet, apart from the elevation of the Halifax suburb of Bedford to town status in 1980, no serious attempt has been made to initiate changes in the structure of municipal government in the years since the Graham Commission reported. Because it seems likely that pressure to reform will continue to develop, one possibility is that the district school board system will be held up as a model for municipal leaders to consider, at least in areas such as Pictou County and Cape Breton County. In others, such as the Halifax suburban fringe area, any suggestion for municipal-government realignment may well involve reconstituting parts of the district board system as well.

CONCLUSION

The experience of two centuries has not provided Nova Scotia with a widely respected tradition of local school administration. Even though efforts to change the school boards have been sporadic and almost always motivated by crisis conditions, at most points in time there has been a strong undercurrent of dissatisfaction with the status quo. On the other hand, despite such dissatisfaction, Nova Scotians have shown themselves to be reluctant to alter established structures of local adminstration. This was especially noticeable at the time of the Free School Act of 1864 and the Pottier Commission Report of 1954; in both instances the involuntary nature of reform encountered local resistance and arguably contributed to the Government's defeat in subsequent election campaigns (Beck 1973, pp. 23, 36-7). Voluntary approaches to reform accompanied by generous financial incentives, such as the municipal school board legislation of 1942 and the district board legislation of 1982, have been given a much better public reception.

From the standpoint of the themes explored in this study, it is important to realize that opposition to change was not based primarily on loyalty to political values. Such opposition as did materialize almost always was centred on the twin issues of finance and taxation. It is also important to note that the commission report, that in most cases provided the underlying rationale for change, professed to respect the tradition of local responsibility that was the backbone of Nova Scotia's public school system. And to a certain extent one can sympathize with this claim, for governments went beyond the letter of recommendations that were actually made by the three commissions that helped shape the contemporary school system, either by ignoring key proposals that might have ameliorated the effects of the main recommendations, or by augmenting commission proposals with some centralizing measures of their own. The Commission on the Larger School Unit proposed the creation of municipal boards with financial but not supervisory powers: the Government set up boards to perform both functions. The Pottier Commission noted the effect its proposed foundation plan would have on the financial responsibilities of the school sections, but argued that a useful policy role still remained for local trustees: the Government transferred total administrative responsibility to the municipal boards. The Walker Commission recommended the large-scale amalgamation of boards, but proposed as well that a strong measure of local democracy be restored by making the boards half-appointed and half-elected, and by granting them a measure of financial autonomy. The Government accepted the amalgamation scheme but rejected the other two proposals.

At each stage of reorganization the public has been promised that greater equalization of opportunity and greater efficiency will be realized together with improvements in the quality of local control (Nova Scotia Department of Education 1939, p. 24; Nova Scotia 1954, pp. 16-7, 83-4; Nova Scotia Department of Education 1981, pp. 22, 43). This premise has seldom been held up to scrutiny; when it has, it has been only to lament the decline of effective local control, not to question seriously the wisdom of each new centralist measure (e.g., Halifax Mail-Star 1984). Despite the gradual whittling away of the basis of local authority in the post-war era, the time has not yet come when the public is prepared to ask of its political leaders: "... what kind of efficiency is realized in the absence of the responsiveness born of widespread access and participation?" (Dupré, 1972, p. 197).

NOTES

1. So-called because fees could no longer be charged. The instruments of democratic control were the elected trustees and the annual school meeting of ratepayers for each school section. A school section in most cases supported one schoolhouse. It was restricted in size to the distance children could reasonably be expected to walk to school.

2. Elected boards were advocated in briefs presented by the Nova Scotia Teachers Union (NSTU) and the Federation of Rural and Village Schools of Cape Breton. The report of the Joint Committee on Public Attitudes (a committee composed of representatives of the Department of Education, the NSTU, the Federation of Nova Scotia Home and School Associations, and the Union of Nova Scotia Municipalities (UNSM)) presented survey findings indicating that 70 per cent of the public favoured elected or partly elected school boards. However, in individual submissions to the Commission, only the NSTU, of the four sponsoring groups, advocated elected boards. The others did not comment on the issue, nor did representatives of labour and agricultural organizations, the other main interest groups to submit briefs. The briefs are located in MG1 (Pottier Papers), Vols. 1346, 1351, and 1355; RG44 (Royal Commission on Public School Finance in Nova Scotia), Vol. 58, Public Archives of Nova Scotia (PANS).

3. The situation in Canada was summarized in a Canadian Education Association survey entitled "The Structure of Public Education in Canada and Developments in Education, 1948-1950", filed with the Pottier Commission records. Reports on certain American states are also included in the Commission's records.

4. Thirteen regional vocational school boards were actually established (SNS 1966). The extra two were for schools built in 1950 in Halifax and Yarmouth and operated directly by the Government until 1966.

5. The Northside-Victoria Amalgamated School Board (ASB) on Cape Breton Island, the Colchester-East Hants ASB in south-central Nova Scotia, and the Kings County ASB in the Annapolis Valley: these three school districts remained intact under the 1981 reorganization (as shown in Figure 12.3).

6. The Union of Nova Scotia Indians had called for direct representation on school boards that provided a service to band councils; the Fédération Francophone de la Nouvelle-Ecosse, a forerunner of the Acadian Federation of Nova Scotia, had argued more generally for Acadian control of schools attended by Acadian students. The briefs are located in RG44 (Royal Commission on Education, Public Services, and Provincial-Municipal Relations) Vol. 31, Files 067 and 069, PANS.

7. Support for elected school boards was indicated in submissions made by the following groups: NSTU, Federation of Nova Scotia Home and School Associations, Women's Institutes of Nova Scotia, and the Nova Scotia School Boards Association (NSSBA). Even the UNSM agreed that

school boards should have at least some elected members. The only group supporting the status quo was the Nova Scotia Federation of Agriculture. The Canadian Manufacturers' Association advised against mixed elected-appointed boards on the grounds that New Brunswick's experience had shown that such boards did not function particularly well. All briefs are in RG44 (Royal Commission on Education, Public Services, and Provincial-Municipal Relations) Vols. 31 and 34, PANS.

8. The opposition had severely criticized each version of the Bill brought forward since 1976. See especially the remarks of opposition leader (at the time) John Buchanan (Nova Scotia Debates of the House of Assembly 1976, p. 1900) and New Democratic Party leader Jeremy Akerman (Nova Scotia Debates of the House of Assembly 1978, p. 1820).

9. The Commission reported that only 6 of 125 submissions supported the status quo while more than 10 per cent favoured fully elected school boards (Nova Scotia, Department of Education 1981, p. 19). In an earlier statement to the press commission chairman, George Walker indicated that half of all submissions favoured a majority of board members (Halifax Mail-Star 25 November, 1980).

10. Almost all key decisions affecting school board membership and responsibilities were not made until a few weeks before the Government's deadline for establishing the new district boards - i.e., until negotiations at the local level were almost complete. Had the Government made clear its intentions on these issues at an earlier point it might have been more difficult to arrange the amalgamations. See Implementation Bulletins No. 6 and No. 7 on file in the Nova Scotia Department of Education.

11. The full text of the Minister's ruling is appended to the Clare-Argyle Interim District School Board Agreement on file in the Nova Scotia Department of Education.

12. Vocational school board "regions" were not defined by law. In a number of areas, four or more school boards could have legitimately asked for representation on a vocational board.

13. See also briefs of the NSTU and the Federation of Rural and Village Schools of Cape Breton cited in Note 2.

14. For example, a pressure group formed to seek improvements in the Halifax school system found it necessary to declare itself an "apolitical" organization (Community Involvement in Education 1981, p. 2).

15. Ballot plumping (failure to cast a ballot that has been issued) has averaged about 10 per cent since 1980 for Halifax School Board elections. In rural areas, ballot plumping for school board positions averaged less than one per cent in the 1985 municipal elections.

16. This approach may have been adopted because Acadians were represented on the Commission by L.A. d'Entremont, a respected community leader and Inspector of Schools for Clare and Argyle.

17. The board had both Jewish and Black members during the 1971-1976 period. During this same period, approximately one-third of the muncipality-appointed members were Roman Catholics (Martin 1976).

18. The idea for the referendum likely originated in the wide-spread publicity given to similar municipal polls on French-language rights in Manitoba. As in Manitoba, the referendum was not legally binding on either the School Board or the Government. As a pressure tactic it has thus far failed to persuade the Board to reverse its previous position in favour of extended French-language instruction.

19. The larger school units ended local autonomy for Blacks without promising an end to segregated schools. At least one Black school section voted against the larger unit plan (Macdonald 1964, p. 133).

20. Over 70 per cent of respondents in a 1953 survey favoured fully or partly elected school boards (see Note 2); 67 per cent of respondents in a 1972 Halifax metropolitan area survey indicated that they supported fully elected boards; only 16 per cent supported continuation of appointed boards as they were then constituted (Metropolitan Area Planning Committee 1972, p. 75).

21. See Notes 2 and 7. The most recent NSSBA position on this issue is that fully elected boards without power to levy taxes should be established (NSSBA 1985, p. 7).

22. According to the Report, 29 of 31 major school-building projects approved by Cabinet were located in Conservative ridings.

APPENDIX 12.1:

Table 12A.1:
Basic Data on District and Town School Boards Province of Nova Scotia (N = 22)

School Boards[a]	Sponsoring Municipal Units	Population[b]	Acres[c]	Seats on Board	Population per Seat	Rank Order	Acres per Seat	Rank Order
Annapolis	4	22,522	822,400	12	1877	10	68,533	17
Antigonish	2	18,110	358,400	9	2012	12	39,822	12
Cape Breton	6	101,914	452,090	18	5662	20	25,116	6
Clare-Argyle	2	18,547	573,600	12	1546	9	47,800	13
Colchester - East Hants	4	58,850	1,379,200	15	3923	18	91,947	26
Cumberland	5	35,231	1,097,510	18	1957	11	60,972	16
Dartmouth	1	62,277	15,800	12	5190	19	1,317	2
Digby	2	12,091	412,800	12	1008	4	34,400	10
Guysborough	4	12,752	1,056,100	15	850	2	70,407	18
Halifax	1	114,594	16,429	12	9550	22	1,369	3
Halifax County - Bedford	2	111,255	1,386,640	15	7417	21	92,443	21
Hants West	2	16,100	300,200	12	1342	6	25,017	5
Hantsport	1	1,395	600	6	233	1	100	1
Inverness	2	22,337	966,400	9	2482	14	107,378	22
Kings	4	49,739	553,600	15	3316	17	36,907	11
Lunenburg	5	45,746	720,166	15	3050	16	48,012	14
Northside-Victoria	4	33,553	895,110	12	2796	15	74,593	19
Pictou	6	50,350	649,600	21	2398	13	30,933	7
Queens	2	13,126	662,400	12	1094	5	55,200	15
Richmond	1	12,284	288,500	9	1365	7	32,000	8
Shelburne	5	17,328	586,845	18	963	3	32,603	9
Yarmouth	2	17,341	152,000	12	1445	8	12,667	4
Totals	67[d]	847,442	13,345,890	291	$\bar{X} = 2912$		$\bar{X} = 45,862$	

[a] All boards are district school boards with the exception of Hantsport, which chose not to join the district system established in 1981 and remains classified as a town board of school commissioners.

[b] 1981 Census (approximate figures for Cape Breton County and Northside-Victoria District School Boards).

[c] Nova Scotia Department of Municipal Affairs (1983).

[d] There are 66 municipalities; the Municipality of the County of Cape Breton is involved in two district boards (Cape Breton County and Northside-Victoria).

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13. PUBLIC REPRESENTATION ON MANITOBA SCHOOL BOARDS

- Kenneth F. Woodley

AN HISTORICAL VIEW OF PUBLIC REPRESENTATION IN MANITOBA EDUCATION

The development of education in Manitoba has been highly reflective of the social forces at play throughout the province's history. Without question, the most significant of these forces has been the presence of French and English settlers in the province at the time of Confederation. Dynamic tensions existing between the founding peoples of Manitoba have shaped and directed much of the provincial legislation from 1870 to the present. Policies concerning education and public representation in education have not been exempt from this influence.

At the time when Manitoba joined Confederation, the French and English populations were roughly equal in numbers. Care had to be taken to avoid giving one group or the other unfair advantage in any political or legislative matter. Given the struggles between the two linguistic-religious groups in the province prior to 1870, it is not surprising that "representation by population" was adopted as the guiding principle. This was reflected in the legislation of the day.

On May 3, 1871, the legislature of the province approved an "Act to Establish a System of Public Education in Manitoba". It is clear that this first Public Schools Act attempted to secure fair representation for the two major linguistic-religious groups in the province. Although not explicitly stated, it appears that there was strong commitment to the notion that the supporting taxpayers should have significant control of educational districts. By 1873, the Act stated:

> The religion of the majority of ratepayers in any school district shall determine the designation of the District as Protestant or Roman Catholic and any school dissenting from this shall be determined a Separate School (Statutes of Manitoba 1973, ch. xxii, p. 73).

From the inception of public schooling in this province, governments have attended to public opinion and desires.

The concerns surrounding linguistic and religious representation did not lose their place as the key considerations in public school governance until the early 1900s. By this time the demographic picture of the province had altered substantially as a result of heavy migration to the West. With the establishment of a provincial Department of Education in 1890 and the questions of linguistic and religious freedom resolved in 1896, concerns focused on the retention of control by local school jurisdictions. The Act Respecting the Department of Education, passed in 1890, eliminated the previously existing Board of Education. It established a Department of Education with an Advisory Board and Executive Council appointed by the Lieutenant-Governor-in-Council (Perfect 1970, p. 254). The centralized authority of this newly formed department must have concerned taxpayers of the province. The powers accorded the Department could easily jeopardize the control over education which was previously enjoyed by local jurisdictions.

The newly created Department of Education moved cautiously, no doubt recalling the turmoil surrounding the Manitoba School Question of 1890-1896. Already established school districts remained essentially the same despite the awesome powers of the Department. In 1904, provision was made for the establishment of consolidated school districts, and municipal school districts were introduced in 1911.

As the provincial school system grew, the numbers of school districts increased rapidly. In the period 1935-1945, select committees of the Legislative Assembly looked into the possibility of forming large school units for administrative ease and efficiency. Such units, however, were to retain local boards with specific powers. In 1941, a demonstration unit of this type was established in Dauphin with the formation of the Dauphin-Ochre School Area No. 1. By and large, little change took place in the structure of school districts throughout the rest of the province.

In 1957, the R. D. MacFarlane Commission made its recommendations to the government of the day. It suggested that:

> There should be established an administrative system which would place secondary education under Division Boards but would leave elementary education under Local Boards.

It further recommended the creation of a Provincial Boundaries Commission to:

> ... establish the boundaries of prospective divisions with consideration for geographical, economic, and sociological factors.

The findings of this commission led to the amendment of the Public Schools Act in 1958, which permitted the establishment of school divisions for secondary education. Over the next eight years, 47 divisions and one school area were created.

If the citizens of the province were willing to relinquish local control in the area of secondary education, they were reluctant to do so in the area of primary schooling. In 1963 the Michener Royal Commission recommended that all costs of education be assumed by the province in the interests of higher uniform standards. The recommendation suggested that local autonomy would of necessity be lessened with the establishment of a unitary system. As might be imagined, this suggestion was met with vehement opposition from a public reluctant to part with control of local schools (Jackson 1970, p. 254).

It was not until December 1972 that all divisions in the province became unitary, administering both primary and secondary schooling. Fears with respect to loss of control had to be allayed and enticements in the form of large foundation grants had to be put in place by the Government before the transition could occur. This unitary structure has survived to the present day.

Throughout the history of education in Manitoba there has always been a concern with public input. The province started with 24 school districts which grew into 2400 and finally was reorganized into 48 divisions. A key determiner in this transition was the Government's concern with representation by those affected. Perfect points out that:

> Since 1871 ... Manitobans have wielded a large degree of local autonomy over their school districts (Perfect 1978, p. 43).

Although the provincial government has long had the authority to reorganize school districts and divisions, most of the final decisions have been left to the electorate through the use of referendums. Perfect sums up the situation stating:

> ... the government has found it politically expedient to move slowly and to consider carefully the wishes of the electorate in the reorganization and disestablishment of this ... school system (Perfect 1978, p. 43).

In the area of education which touches all of the population, concern with public representation has been necessary for survival of the different provincial governments. In Manitoba today, this concern is addressed through the Public Schools Act and through the "division board" system currently in place.

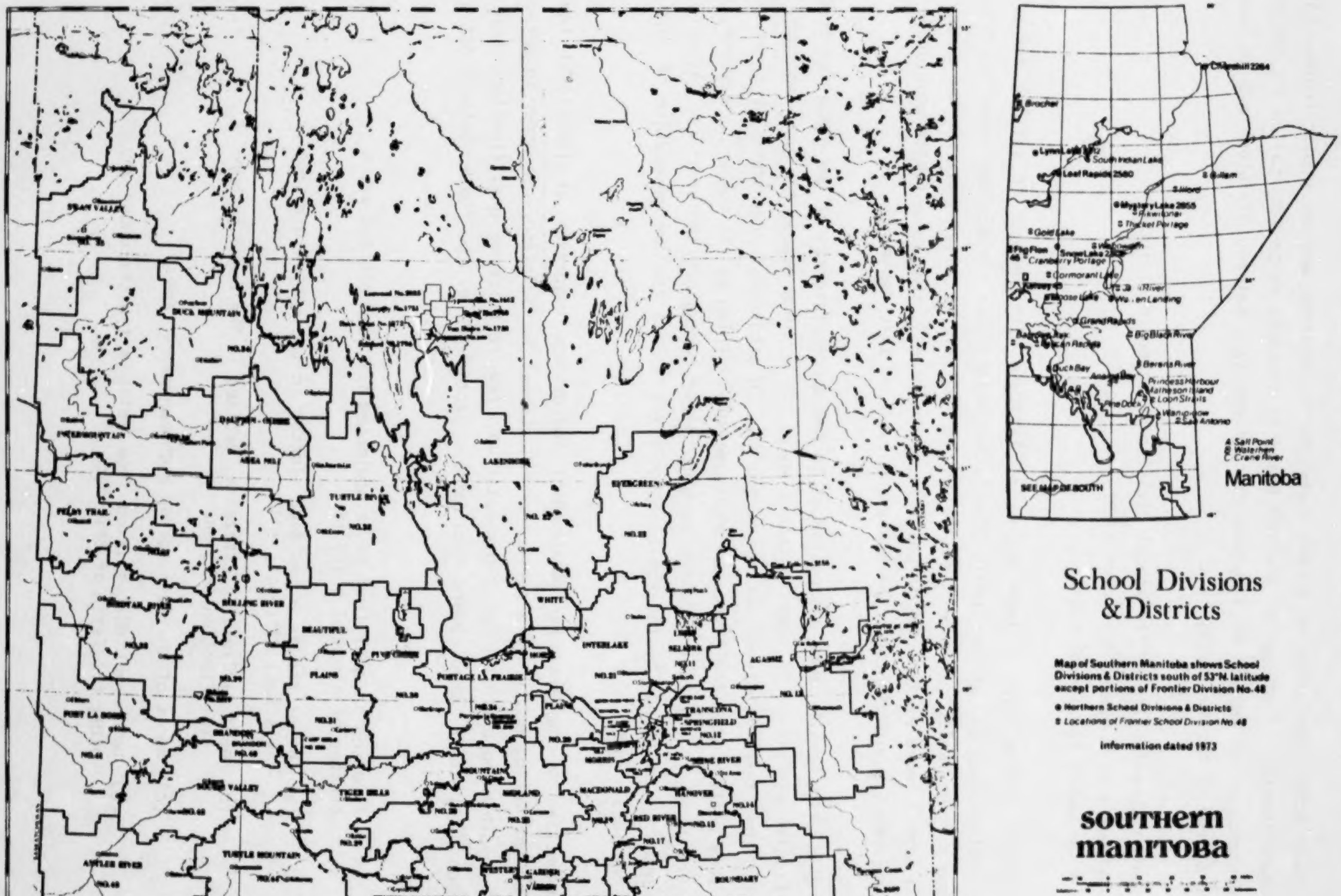
Trustees in Manitoba Today

The Province of Manitoba presently contains forty-eight school divisions, five school districts and three special revenue districts (see figure 13.1). All but one operate with an elected board of trustees. The Frontier School Division No. 48, because of its vast geographic size and the remoteness of its various communities, operates under the auspices of an Official Trustee and Superintendent. Nevertheless, concern over public representation has led to the establishment of School Committees in each of the communities served by the division.

Although without statutory power, school committees are modelled after divisional boards and each has considerable influence over decisions affecting the local school(s). In the case of the Frontier School Division, the governance structure is reminiscent of earlier independent school district arrangments in the province. It must be understood, however, that this structure is the result of a direct attempt by government to ensure fair representation in the administration of education in this particular unit. Economic viability has, to date,

Figure 13.1:

School Divisions and Districts



precluded the restructuring of the Frontier School Division into smaller divisions or districts. The current arrangement ensures representation while maintaining a feasible administrative unit.

All other school divisions or school districts in Manitoba address public representation in a standard fashion. Each has an elected board of trustees which sets policy for the division or district. The number of trustees elected can vary between divisions and is usually determined by one of the following:

- an order establishing the school division or school district
- an award of a board of reference, or
- a by-law of the school board.

Although school boards have a fair degree of latitude with respect to setting numbers of trustees, section 57(1)(c) of the Public Schools Act establishes the minimum number at five and the maximum number at 11. This section applies in the case of alterations to the numbers by means of a school board by-law. It is possible, nevertheless, that an establishment order or a board of reference award might set the numbers outside of this range.

There is occasionally some discussion as to the appropriateness of the number of trustees in a particular division. In some instances where the minimum number has been adopted, concerns exist that three trustees comprise a quorum. In other instances where 11 trustees are elected, some contend that the board is cumbersome and crippled by its numbers. However, these concerns are local in nature and cannot be generalized throughout the province. As well, the autonomy provided to boards by the Public Schools Act allows for the resolution of such concerns at the local level.

Irrespective of numbers, Manitoba school boards are comprised of individual trustees elected by the voting public in a particular educational jurisdiction. In order to assure the greatest possible opportunity for representation, few restricting qualifications have been placed upon prospective school board candidates. Section 22 of the Public Schools Act allows that:

> A person is qualified to be nominated for, and elected as, a trustee of a school board if:
>
> (a) he or she is a resident elector in the school division or school district; and
>
> (b) he is a Canadian citizen as defined in The Local Authorities Election Act; and
>
> (c) he is of the full age of eighteen years; and
>
> (d) he is not disqualified from being a trustee under any other provision of this Act.

Any individual meeting these criteria is eligible to run for school board office. Although seemingly broad based, the citizenship criterion has of late caused distress to groups of recent immigrants to Canada.

Despite generous opportunity for involvement in school division governance, several school boards find themselves without sufficient candidates at election time. In those instances where only one candidate runs, the school board seat is filled by acclamation. Where no candidates present themselves, section 26(6) of the Public schools Act authorizes the new board members, if they constitute a majority of the board, to appoint as many qualified persons as needed to complete the board. Where the new board members are not a majority, appointment falls to the members of the outgoing board.

In the 1984 Manitoba school board elections 44 trustees were elected. These divided evenly into 22 re-elected and 22 newly elected trustees. In the same election, however, 93 trustees were acclaimed and of these, 71 were incumbents, while 22 were newly acclaimed. Although the provisions of the Public Schools Act reflect a high degree of governmental concern with public representation in school board governance, it does not appear to be as high a priority for the electorate at large. This interpretation, however, needs to be qualified.

When analyzing figures such as these it is important to have an understanding of the context within which they arose. Of the 48 school divisions in the province, 11 are urban. The remainder are rural and plagued with problems of distance, sparse population, and geographic area. Closer analysis of the 1984 school board election figures reveals that the majority of acclamations and all appointments occurred in rural divisions. It appears that public representation suffers, to a certain extent, from a lack of involvement and interest on the part of the electorate, and in particular, the rural electorate. Candidates are frequently in short supply and voter turnout at the polls is most often well below what might be expected.[1] On the average, ballots cast in school board elections represent 20 per cent to 30 per cent of the eligible voters. Although this is in part attributable to some of the inherent problems of rural areas, there is reason to believe that more must be done to bolster public participation in school division governance.

Trustees who are elected, acclaimed, or appointed, serve a term of either two or three years depending upon the division in question. Ministerial approval can be given to lengthen the term of office from two to three years or to decrease it from three to two years upon request of the board. The term of office of trustees in Greater Winnipeg is set by section 25(3) of the Public Schools Act to coincide with the terms of office of both city councillors and municipal councillors. In order to ensure continuity of school board policy, some divisions have, with the approval of the Minister, established elections annually to provide for the election of trustees on an alternating basis. In such cases the number of trustees to be elected in each year is fixed. Divisions of Greater Winnipeg are ineligible for this arrangement.

TRUSTEE REPRESENTATION TODAY

The representational organization of divisions in Manitoba follows one of two patterns. Divisions can be divided into wards or they can be without wards. In the case of the former, trustees are elected on a "per ward" basis while in the case of the latter, trustees are elected "at large". In divisions without wards there are no legislative provisions to ensure equitable representation. Such divisions must rely on local interest and public motivation to guarantee a representative distribution of school board candidates. Although candidates must be elected by the voter at large, there is nothing to prevent overrepresentation in one or another area of the division. In divisions consisting of wards, an attempt is made to provide equitable representation through provisions of the Public Schools Act.

Section 57(2) of the Act establishes the principle of "representation by population" for those divisions using a ward structure. It states:

> Subject as herein provided each trustee of a school division or school district divided into wards shall represent, insofar as is practicable, approximately the same number of resident electors.

This principle of representation is further supported by section 57(3) which allows for the establishment of a "representation quotient" for the division or district. This quotient is derived by dividing the total number of resident electors, as determined in the latest revised elector's roll, by the total number of trustees to be elected. In order to maintain the representation quotient in the face of changing demographics, school boards are empowered to take such actions as may from time to time be necessary.

Although "representation by population" is emphasized in the legislation, other principles of representation are also recognized. For instance, school division or district ward boundaries can be altered in order to accommodate special geographic conditions, special population variables, such as sparsity, density, or relative growth, and "any special diversity or community of interests of a part of the school division or district". In instances where such interests are recognized, the board may deviate from the representation quotient in order to accommodate these. Variation from the representation quotient, however, is always limited to 25 per cent (Statutes of Manitoba, chapter p. 250, 1980, p. 36).

Despite the powers accorded to school boards in order to accommodate special problems of representation, occasional troubles still arise. As an example, in 1982 the Fort La Bosse School Division experienced difficulty with the residents of Elkhorn. The problem arose when it was decided to close down the Collegiate in town and to transport the students to high school in Virden approximately 25-30 miles away.[2] Ultimately the residents petitioned the Minister to form an independent school division and a Board of Reference hearing was held. One of the points made at the hearing by the aggrieved electors was that the trustee representing

Elkhorn was constantly being outvoted by other trustees of the division. It was held that, as a result of this, Elkhorn had no true representation on the school board. Even though the appropriate representation quotient existed, it did not satisfy local residents. The provisions of the Public Schools Act allowed for equitable numeric representation. In this instance, however, those adversely affected did not feel that this was sufficient.

In devising legislation for the governance of public school units in Manitoba, the government has attempted to ensure equitable representation for the electorate. The statutes have been framed to emphasize representation by population but are, at the same iime, sufficiently flexible to allow for attention to local considerations. On the other hand, in those four divisions and eight districts where there is no ward structure, few built-in safeguards exist.

Districts are usually quite small and frequently comprise a single isolated town, such as Churchill, Lynn Lake, Leaf Rapids, or Snow Lake. In these instances the unit is comparable to a single ward division. In larger school divisions, such as the St. Vital School Division No. 5 which covers a large portion of Greater Winnipeg (see figure 13.2), equitable representation cannot be assured on the basis of geographic area, interest group, or population variables.

As boards are empowered to change the structure of their divisions and districts, and as the "wardless" system has survived, one can only assume that problems of under- or overrepresentation have not been serious to date.

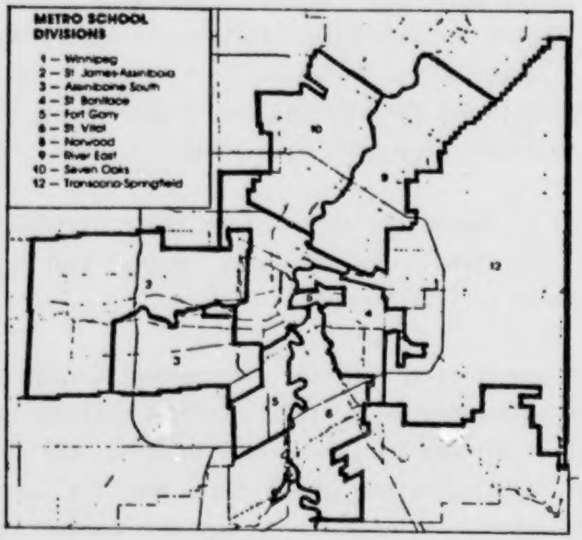
In general, the current practices in Manitoba with respect to public representation on the school board appear to work reasonably well. It is doubtful that one could ever find a system that would meet the desires of all who are concerned with school division/district governance. The Manitoba Association of School Trustees (MAST) feels that the current system is fair and that changes to the present representation practices are not needed. It is satisfied that the latitude provided by the current legislation allows for the actualities of the Manitoba situation and it cautions against more stringent regulations.

ISSUES IN REPRESENTATION TODAY

From the foregoing description it should be apparent that public representation in Manitoba school board governance has been carefully addressed through both practice and legislation over the past 115 years. The transition from highly localized control to divisional governance evolved gradually. Because of this, the current system of divisional boards has come to be well accepted. Within divisions and districts, trustee representation appears well served by the latitude of the Public Schools Act. In general, therefore, trustee representation in the province is not a contentious issue. This is not to say, however, that trustee representation is not a concern. Any alteration to the present system likely would be met with strong resistance, particularly if proposed changes mean a lessening of representation.

Figure 13.2:

Metro School Divisions



Because of the relative satisfaction that exists with Manitoba's system of public representation in school board governance, there are very few new ideas being bruited about the province in this regard. As pointed out earlier, the Manitoba Association of School Trustees (MAST) is quite satisfied with the present arrangement. MAST's Director of Education and Communication Services points out that, although current representation practices might not satisfy theorists and academics, they very nicely accommodate the practical problems of the Manitoba situation. The Department of Education feels that the principles and flexibility incorporated into the Public Schools Act are adequate and appropriate for ensuring equitable trustee representation on school boards, while the Manitoba Teachers' Society does not see any particular problems related to public representation in school division governance.[3]

Despite the lack of new ideas in the area, there are two issues related to public representation which either should be, or will need to be, addressed in the near future. The first of these is the question of qualifications for trusteeship. As noted earlier, one of the requisite qualifications to run as a trustee is Canadian citizenship as defined in the Local Authorities Elections Act (Statutes of Manitoba, chapter p. 250, 1980, p. 1). When one investigates this requirement further, one finds that only individuals who are natural-born Canadian citizens, naturalized Canadian citizens, or British subjects are eligible to present themselves as school board candidates.

Although, on the surface this requirement makes a certain amount of sense, it has become a sore point with representatives of ethnic minorities during the past few years. With increased migration to the province, and with the developing settlement patterns of various ethnic groups, certain areas have become heavily populated by particular national groups. It is not uncommon now to find school, community, or division ward areas with a majority population that is Indo-Chinese, Portuguese, Sikh, Italian, etc. In such instances the major stakeholders of the public education system may be unable to elect an appropriate representative to the school board because of the citizenship requirements for trustees. This makes it possible for a minority of the stakeholders to be overrepresented and to govern in opposition to the wishes of the majority.

The inequities brought about by the citizenship requirement are the result of the province's philosophy that representation in Manitoba school divisions should be determined by resident electors and not by ratepayers. Upon occasion, divisions and districts find this unfair. For example, a childless individual who rents accommodation and qualifies as an elector is able to participate in trustee selection. An individual who has several children attending school and who pays substantial property tax (and hence school levy) may be disqualified on the basis of citizenship or may be limited, for similar reasons, in the selection of a candidate. In most instances this is the exceptional situation; however, it is becoming increasingly problematic in urban areas where large ethnic concentrations are becoming established. Already multicultural associations and ethnic organizations are making representations on this very topic through the press and in briefs to Members of the Legislative Assembly.

There seems to be little doubt that, in the near future, the Government of Manitoba will need to reassess the eligibility criteria for participation in school division governance, in order to assure equitability for all stakeholders in public education.

The second issue in the question of equitable representation is that of French/English language school divisions. At present, there are no legislative provisions to ensure fair representation of linguistic groups in school board governance. Section 79(1) of the Public Schools Act proclaims both French and English as languages of instruction, and section 79(5) allows for the administration and operation of public schools to be performed in either English or French. Since the Manitoba School Question of 1890-1896, language rights in education have been a sensitive issue. Up until now the concern has been with protecting the educational rights of the minority linguistic group in the province, namely the French.

Some divisions such as the Seine River School Division are primarily French speaking and have a small percentage of Anglophone population. Others, such as the Turtle River School Division, are the reverse. It is possible that, in such areas, members of the minority language group could elect a representative to the school board which would function in the majority language. It is further possible that members of the minority would be unable to elect a representative at all because of the sheer weight of the majority's numbers. Either of these scenarios provides for less-than-desirable representation. It seems likely that in cases where there is a clear-cut majority/minority composition of electors, close monitoring will need to take place to ensure that neither French nor English minorities are left totally devoid of representation. There may be a need for legislative amendments to provide for appropriate representation of both language groups within all divisions and districts of the province.

CONCLUSION

Public representation in Manitoba education has received a great deal of attention over the past 115 years. The result has been the development of a system composed of elected school boards charged with carrying out certain duties and authorized to exercise certain discretionary powers. Equitable representation on school boards has been addressed by legislative provisions of the Public Schools Act and by the electoral process in certain single ward divisions and districts. There is general satisfaction with the current state of affairs as it pertains to representation, but there are signs of possible "trouble spots" on the horizon. Given the creative and favourable fashion in which Manitoba has addressed previous concerns in the area, there is every reason to expect that the issues just raised will be resolved to the advantage of all concerned.

NOTES

1. Some would argue that the high number of acclamations and appointments to boards in rural Manitoba cannot be interpreted as an indication of disinterest. They argue that rural communities tolerate acclamations as long as the individual returned to office is doing a good job. They further contend that when an issue presents itself in the division or district, the number of candidates for office increases. Although this may explain the situation surrounding the majority of acclamations, it does not illuminate the instances of newly acclaimed trustees, or of appointments to trusteeship. Fuller explanation of Manitoba school board election phenomena likely requires the inclusion of both viewpoints.

2. It is interesting to note that at times the public seems to lack concern about representation. However, interest becomes very evident when a problem presents itself. It would seem that public concern with questions of equitable representation is aroused by issues for the most part.

3. Departmental and organizational opinions were derived from interviews with senior officials of the agencies concerned.

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14. SCHOOL BOARD REPRESENTATION IN SASKATCHEWAN

- Ernest J. Epp

Early Saskatchewan educational governance was notably influenced by the authority of the Hudson's Bay Company in that this large trading company tended to slow the progress toward local government development. The development of local government might well have been interpreted as a step towards increased local control and a decrease in private commercial autonomy.

However, educational systems and structures began appearing in northern areas of what later became the northern part of Saskatchewan. The very first schools were located on mission stations and were run by missionaries on a voluntary basis.

The year 1870 marked the entry of the Northwest Territories into Confederation, and the movement of the settlers towards the West began. Governing control over the Territories, for the next five years, was held by the Lieutenant-Governor of Manitoba. It was in 1875 that the Northwest Territories Act granted this area its political autonomy and also led to the passing of the school governing ordinances a few years later. The historical period from 1875 to 1905 is known as The Territorial Period in which the foundations of the Alberta and Saskatchewan school systems were established. It was the Council of the Northwest Territories that administered this geographic region and ultimately passed the governing school Ordinances.

Governing legislation for education was first enacted in the Territories through the passing of the school Ordinance proposed in 1883 but passed in 1885. This first Ordinance underwent a number of revisions with the second Ordinance enacted by the Lieutenant-Governor, with the advice and consent of the Legislative Assembly of the Territories in 1896 (Ordinance 1898, p. xi).

As the ordinances indicate, both public and separate schools received legislative attention in the earliest official administrative organization of education in this province. It was the Ordinance of 1896 that provided for the establishment of both public and separate school districts. The separate school districts could be established within the public districts by minority ratepayers of the Protestant or Roman Catholic faiths. By definition, a "ratepayer" was meant to include any person over the age of 23 years whose name appeared on the last revised assessment roll of the school district and who had paid all taxes due by him to the district.

This was a time of creating ("erecting" was the term used then) school districts and the Ordinance stated specifically that every district be numbered consecutively in the order of their erection (Ordinance 1896, section 10(2)). The specific description of a school district appeared as:

> A school district shall comprise an area of not more than twenty-five square miles nor more than five miles in breadth or length, exclusive of road allowances, and shall contain

> not less than four resident ratepayers and twelve children between the ages of five and sixteen inclusive (Ordinance 1896, section 12).

Of course, special cases of district establishment could be made for consideration by the Chairman of the Council of Public Instruction, who could then vary the 25-square-mile criterion.

To erect a school district, any three ratepayer residents in any area fulfilling the 25-square-mile criterion, could form themselves into a committee and through petition procure the erection of a school district (Ordinance 1896, section 13). The petition referred to here required comprehensive information on matters, such as name, limits, approximate area, total population - adult and children between the ages of five and sixteen years of age, children below the age of five - and the total number of ratepayers both Protestant and Roman Catholic respectively in the district.

Upon approval for the establishment of the school district, a notice calling for a meeting of the ratepayers was to be posted in at least five widely separated places of the district, two weeks prior to the meeting.

A "town district" was considered to mean a school district situated wholly or in part within a town or city municipality, except for the Prince Albert, Saskatchewan Provisio (Ordinance 1896, section 2(3)). This provisio specified that no school district located within the municipality of Prince Albert could be considered a town district; however, five trustees could be elected to hold office as those in town school districts.

Democratic representation on school boards at the time of the early Ordinance was rather clearly spelled out. In school districts other than town school districts, three trustees were to be elected during the first term for a period of three years. Following this term, elections for office were staggered so as to retain an experienced trustee in office at all times (Ordinance 1896, section 30, subsections 1-3).

Reference was also made in legislation to the qualifications of persons wishing to run for a school board. The basic qualification of a "ratepayer" mentioned earlier had to be met. But section 31 also specifically stated that the person be able to "... read and write". Once elected, every school board member, called a trustee, was required to make the following declaration of office:

> I do hereby accept the office of trustee to which I have been elected in (name of school district) and will to the best of my ability honestly and faithfully discharge the duties devolving on me as such trustee during the term for which I have been elected in accordance with law (Ordinance 1896, section 33).

As noted earlier, provisions appeared in the Ordinance for the establishment of either Protestant or Roman Catholic separate schools within organized public school districts. Separate school districts could also be erected through the petition process utilized for erection of public school districts. In this instance, however, the petition was required to include pertinent information relevant to the religious faith of the petitioners and the relevant populations inclusive of the Protestant or Roman Catholic faith.

To maintain formalized public involvement in school board governance, an annual ratepayers meeting for non-town districts was required to be held not later than the last Saturday in January of each year. The business of such an annual meeting included the receipt and dispensing of statements submitted by trustees, election of an auditor for the following year, miscellaneous business, and the election of a trustee or trustees to fill any vacancy or vacancies (Ordinance 1896, section 46).

In town school districts the annual nomination and election of trustees was legislated to be held at the same time and place as the municipal nominations and elections. The term of office of a trustee in a town school district was set at two years. Town school districts were also required to hold an annual ratepayers meeting with a business agenda similar to that of the non-town school district.

The Ordinance of 1896, which provided for the establishment of school districts, and for the establishment of separate schools and separate school districts within the public districts, essentially serves as a primary document on which much of our present school law is based.

School districts formed rapidly after the Ordinance of 1896. At the time of Saskatchewan's official formation as a province in 1905, 896 school districts had been erected.

The history of educational governance in Saskatchewan reveals this governance to have been an issue of continued importance for the governments of the province. Although the early ordinances provided for the formation of school districts, many other aspects of education demanded legislative attention as well. Of particular note was the passing of the Secondary Education Act in 1907, which provided for the establishment of high schools in towns and cities by urban municipal authorities. Consequently, boundaries of high school districts existed coterminously with those of the urban municipality within which they were contained. Four years later, there were 14 such districts with an enrolment of 1683 students. Ten years later in 1921, this number had increased to 24 districts with 6900 students. The proliferation of districts increased the administrative complexity, particularly when the numbers and individual jurisdictions grew too large. Consequently, the consolidation of districts into larger organizational units of administration began to be regarded as the best way to improve governance and increase efficiency of both financing and program. Also, the tremendous disparity among districts with respect to assessments, economy, and population led to the disorganization of several city and small districts. Such consolidation resulted in fewer but notably larger school districts.

The passing of the Secondary Education Act in 1907 also caused a notable degree of integration of town and urban municipal and educational governance. The Rural Municipalities Act of 1908, for the establishment of rural municipalities, had a similar effect in rural Saskatchewan. These municipalities usually consisted of nine townships constituting an area of approximately 324 square miles. Educationally related functions assumed by these municipalities included levying of taxes for educational purposes, in some cases the appraisal of school sites, and the approval of changes in school district boundaries. School authorities requisitioned education expenditures and municipal authorities levied taxes accordingly.

Although the first school districts were comparatively small - 25 square miles - early interest in organized larger school districts remained. By 1913, the School Act of Saskatchewan was amended to allow for the consolidation of existing districts where it appeared to be in the best interest of the public. Consolidation resulted in 191 such districts in 1972; and by 1985 official divisional boards of education numbered 123[1] and could be classified as:

(a) 23 Urban School Boards - Public and Roman Catholic
(b) 61 Rural School Boards
(c) 32 Independent Consolidated School Boards
(d) 7 Comprehensive School Boards (all urban)

In summary, the development of educational governance in Saskatchewan occurred in four general stages (Toombs and Riederer 1969). The first, lasting until mid-1880, took place in the Northwest Territories. Education at this time was largely characterized by church-parish schools, charity schools, monitorial schools, Latin grammar schools, private schools, and secondary schools called academies. There was no local taxation, and schools were funded through subscriptions, government grants, and fees. The "elected board" concept established at this time provided the beginning of public control of education.

During the second stage, extending to approximately 1890, larger populations increased the complexity of educational services and stronger central authorities emerged. Elementary education was provided, in theory and practice, to almost every child through schools supported by local taxation or through those classified as "free" (Toombs and Riederer 1969, p. 16). Secondary education by this time began to attract more public involvement and support.

The early 1900s encompassed the third stage and witnessed the establishment of a Department of Education for training certified teachers, authorizing textbooks, conducting examinations, and providing qualified school inspectors. A local government partnership for education purposes was developing and resulted in the provision of education services to children in local communities and the provincial funding that augmented local-taxation revenue for schools.

The fourth stage marked an enlargement of school jurisdictions for the provision of Kindergarten to Grade 12 education services. The legislation of 1944, under Woodrow Lloyd, resulted in the establishment of "larger units" and essentially remains the form of school-government organization of rural Saskatchewan today. The government at that time created 30 larger School Units and left others to form voluntarily. Saskatchewan now has 61 such rural units (divisions) and 55 consolidated districts including the urban centres. Urban Saskatchewan school divisions today have coterminous municipal boundaries which form the electoral and administrative boundaries for the school districts.

The latest revision of the education statutes of Saskatchewan resulted in the Education Act of 1978. This is an Act respecting both elementary and secondary education in this province. Within the 377 sections of this Act are provisions for local government administration that include the designation of school divisions and subdivisions which replace all previous jurisdictions referred to as districts or units. Each school division of Saskatchewan is now to have a board of education of no fewer than five and no more than 10 members (section 32). Each school division which does not include a city shall have the attendance area of an operating school district governed locally by a board of trustees of no fewer than three and no more than nine members duly elected.

CURRENT SCHOOL GOVERNANCE IN SASKATCHEWAN

Control of education at the time of the early Ordinance of the Northwest Territories was vested in a Board of Education composed of two Protestants, two Roman Catholics, and the Lieutenant-Governor. Later, representation was increased to five Protestants, three Roman Catholics, and the Lieutenant-Governor (Thorson 1985). Schools were financed largely through the Dominion Government for the payment of teachers' salaries. The balance of school funds was obtained from local taxation on real and personal property.

Upon the formation of Saskatchewan as a province in 1905, responsibility for education was placed on the Provincial Government under section 93 of the British North America Act and assumed by the province under the provisions of the Saskatchewan Act. The assumption of this responsibility has resulted in publicly controlled schools through local initiative, authorized local taxation of both real and personal property and the election of boards of education and boards of trustees to whom local control of schools has been delegated.

A recent study, commissioned by the Research Division of the Saskatchewan School Trustees' Association in 1983, was designed to address the knowledge of, and attitudes of, the public towards school boards, the delivery of education in Saskatchewan, and related issues. This province-wide personal door-to-door survey revealed much in terms of how the public views and understands school boards and the operation of schools. Reference to this study is being made to provide a current descriptive backdrop of the Saskatchewan public's understanding of issues pertinent to this paper. Some of the major findings in the Poll of Public Opinion about Education in Saskatchewan (1984) were:

- 68.4% stated they were not knowledgeable about the operation and responsibilities of school boards;
- the least-informed respondents appeared to be less than 30 years of age, less educated, with either no children or no children at school, and residents of Regina and Saskatoon;
- 41.7% regarded the primary responsibilities of a board to include hiring and firing of staff;
- the principal was the best-known individual in a school position;
- 57.5% said most of the money allocated for education was spent on salaries;
- 38.2% stated they would be at ease communicating a concern to the school board - they felt at ease, because they believed the school board was there for that purpose;
- 10.3% of respondents had had a negative experience with the board;
- 34.5% rated the job done by school boards as good or better;
- 20.1% were uncertain why individuals become school board members;
- 21.8% stated that school board members want to improve or change the educational system;
- 16.4% stated school board members want to have greater control over the education of their children;
- 53.2% were of the opinion that a system where the Department of Education determines what is taught in school is better than a system where locally elected boards have the primary say in this matter;
- 59.1% preferred to have provincial inspectors monitor school programs than to have local boards perform this function;
- 74.9% would not be interested in becoming a school board member - usually because of lack of time or lack of interest;
- 50.7% stated there would be little difference in the quality of education if the province rather than school boards ran schools;

- 66.5% had not heard anything about schools on radio or television in the two months preceding the survey;

- 71.9% felt school boards should keep the public informed about their work and responsibilities - the least-opposed media for communication were school newsletters and public meetings, and the two most-opposed media were television and radio;

- 34.3% stated the Department of Education is responsible for the quality of education;

- 65.9% stated their attitude toward education had remained unchanged in the past five years;

- 67.3% stated they would prefer to send their children to a publicly funded school;

- respondents were least likely to approve tax increases for additional administrative staff and improved bussing;

- 55.0% were opposed to the suggestion that the cost of education should be paid for by those parents with school children, while 33.3% favoured the suggestion.

It would appear evident from these findings that the issues of school governance are not particularly high on the priority list of the public in Saskatchewan - 68.4 per cent were not knowledgeable about operations of school boards. Also, 74.9 per cent were uninterested in becoming members of school boards. Further, 50.7 per cent stated that little difference in quality of education would result if education was run by the government rather than by school boards. As well, 53.2 per cent felt that it was preferable for the Department of Education to determine what is taught in schools rather than have locally elected boards decide such matters.

In spite of these findings, the principles of democracy demand as much control and direction by the people and for the people, as possible. Consequently, although the percentages quoted above reflect a lack of interest in school governance, the remaining percentages represent people very much involved in the democratic process and interested in educational progress and accountability. It is on premises such as these that the Education Act of Saskatchewan of 1978 was passed and makes possible a process of school governance that legislates the election of boards of education at the school division level, boards of trustees at the local school level, and for the appointment of local advisory councils in urban areas.

School Divisions

According to the Education Act of 1978, local government administration shall be made possible through the geographical organization of school divisions. By definition, a school division shall consist of any portion of Saskatchewan which is designated under this Act to be the unit for local governance of schools and for the provision and administration of education services in those schools (section 18, subsection 1).

The acceptance of metric units has now changed the earlier four-by-five district designations of 1901 to 1295 square kilometres. Every school division that comprises an area greater than this shall be divided into the number of subdivisions as may be required for the purposes of the election of the number of members of the board of education. Because the exact establishment of boundaries of subdivisions may be readily a matter of controversy, such boundaries shall be established by the Minister via an Educational Boundaries Commission (section 18, subsection 2). If the overall area of a school division is less than 1295 square kilometres, the Minister - upon application from the board of education - may designate the subdivisions of the division. All school units created as a result of the 1944 Larger School Units legislation (and high school districts created under the Secondary Education Act) had their designations changed to school divisions as a result of the 1978 legislation.

Much of what appeared in the early ordinances remains in effect today. A good example is the qualifying set of criteria for the establishment of school divisions which continues the requirements set out for the earlier school districts. Section 21 of the Education Act, 1978 is quoted here by way of example:

> 1. Every order establishing a school division shall:
>
>   (a) assign to the division a distinguishing name and number;
>
>   (b) state the day upon which the division is established;
>
>   (c) designate the boundaries of the division;
>
>   (d) define, where applicable, the boundaries of the subdivisions of the division and assign numbers thereto;
>
>   (e) note the number of members which shall constitute the board of education;
>
>   (f) provide for the holding of an election of the members of the board of education and for all matters necessary and incidental to the holding of such an election, including:
>
>   (i) the designation of the day upon which the members then elected shall assume office;
>
>   (ii) the designation of the last day for the receipt of nominations;
>
>   (iii) make provision for the vesting of assets and liabilities.
>
> 2. The term of office of members elected ... shall expire on the thirty-first day of December in the year in which the next general election is held.

As in the days of the School Ordinance, separate school districts and new divisions can be established. The current Act states that a minority of electors in a school district, whether Protestant or Roman Catholic, may establish a separate school division therein; in such a case, the electors establishing the school division shall be liable only to assessments of such rates as they may impose upon themselves (section 22, subsection 2). The separate school divisions operate under the same legislation, possess and exercise the same rights and powers, and are subject to the same liabilities and methods of government as the public school divisions (section 26).

Boards of Education

There are two levels of school boards in this province. The board of education is commonly known as the fiscal board of a school division. The board of trustees is commonly known as the non-fiscal local board with greatly restricted powers and duties and represents the attendance area of a specific school district.

In terms of representation, the 1978 Act specifically states that each school division shall have a board of education of no fewer than five and no more than 10 members (section 32). Strict provisions have also been made for the disqualification of board members (section 34). Some of these include:

- conviction of an indictable offense;
- incapacitation through physical disability or mental illness;
- absence from more than three consecutive meetings without appropriate authorization.

Other directives to board members are that they shall not:

- perform any duty, transact any business or do anything whatever in any character or capacity for or in expectation of any fee, gain, or reward for or on behalf of the board of which he is a member;
- be guilty of gross neglect of duty;
- wilfully or negligently act in contravention of the Act or the regulations (section 35).

The election of members of boards of education has been clearly described in legislation. In terms of electoral representation in this province, where a school division has been divided into subdivisions, one member of the board of education shall be elected by the electors in each subdivision. Where a division is not divided into subdivisions, the member of the board of education shall be elected at large by the electors of the division. In the case of a high school division, the board members are to be elected at large by the electors of this division.

General elections for school boards in Saskatchewan are to be held in October of an election year, with terms of office specified as three years. Provincial school board elections are to take place at intervals of three years (after October 1979).

Board Member Qualifications

The earlier qualification of the 1896 Ordinance that an eligible trustee be able to read and write has been discontinued in legislation. However, an inference of such discontinuance need not imply that now an illiterate person may also qualify. Current eligibility requirements are that the candidate:

1. is an elector in the division in which the election is to be held; or

2. is the owner of assessable or real property in the division in which the election is to be held; and
    (a) is a Canadian citizen;
    (b) is of the full age of 18 years; and
    (c) has resided in the province for a period of at least six months immediately preceding the date on which a vote takes place (section 43).

All school board elections must adhere rigidly to appropriate legislation. Because the organization of educational governance in Saskatchewan includes rural and urban school jurisdictions, legislation for each applies. The Education Act clearly specifies election procedures for rural divisions, along with some variations of these. For divisions which are situated wholly or in part within a town or city, elections must take place in accordance with the provisions of The Urban Municipal Elections Act of 1968.

Board of Trustees

A legal mandate of the board of education is to prepare a map of each school division which shows the boundaries of each school district and the location of the schools in operation. According to the Act, each of these districts is to have a board of trustees of no fewer than three and no more than nine members (section 123). The board of education is required to determine the size of the board of trustees (section 125). In terms of electoral representation, a district divided into subdivisions shall have its ratepayers elect a member or members to the board of trustees. If the district is not divided into subdivisions, the elections are to take place at large. Election procedures are to be as similar as possible to those for the board of education. However, the terms of office are not the same as the three-year terms for members of the fiscal board.

The following staggering of office terms has been prescribed for members of Boards of Trustees:

- elections for trustees elected in subdistricts numbered 1, 4, and 7 [who] shall hold office for three years;
- elections for trustees elected in subdistricts numbered 2, 5, and 8 [who] shall hold office for two years; and

- elections for trustees elected in subdistricts numbered 3, 6, and 9 shall hold office for one year (section 129).

The above criteria do not apply to the first year of election, at which time all persons are elected for a three-year term.

Local Advisory Committees may be established by the board of education in school divisions that are not divided into school districts and for each or any of the operating schools in the division (section 137). Again, there are variations in the establishment of such committees. If the board of education does not initiate the formation of such a committee, electors of any school district may, by petition to the board of education, request the establishment of a Local Advisory Committee (section 138). The intent of this legislation, it would appear, is for the assurance of the most local representation in school governance.

Both boards of trustees and local advisory committees are by legislation primarily advisory and effect educational change primarily through recommendation to the official governing board - the board of education. Membership criteria for these representative bodies are similar to those set for members on boards of education.

Size of School Boards in Saskatchewan

The actual size of Saskatchewan school boards has largely been determined through precedent and a generally agreed upon understanding of what constitutes an appropriately representative number for the operation of a democratic board. The number of five trustees as the minimum number a board in a town district should have, may be traced back to the Ordinance of 1896. At this same time, in school districts other than town school districts, three trustees were to be elected.

Legislation passed for high school boards in the 1930s indicated that the number of trustees on such boards would be five. The Larger School Units Act of 1945 again reinforced the general understanding that a five-member board was about the right size for this province.

Revisions of the Education Act continued throughout the years from 1945 to 1978. It was the passing of the 1978 Act that officially changed the specific number reference to a broader option of five to 10 members for a board of education and three to nine members for a board of trustees (local boards). See table 14.1 for the breakdown of number of members on the board of education by type of school board.

Of course, exceptions exist and the numbers legislated might be exceeded or lessened. A 1982 amendment to the current Act (section 21(1)(e)) declares that the Minister shall state the number of members which shall constitute the board of education.

Table 14.1:

Board of Education Size by Type of Board in Saskatchewan, 1984*

Type of Members on the Board	Type & Number of Boards of Education**						
	PUBLIC				CATHOLIC		
	Urban	Rural	Comprehensive (all urban)	Independent Consolidated	Urban	Rural	Total
5	1	28	2	1	1	15	48
6	-	24	-	-	-	-	24
7	9	15	1	1	7	1	34
8	1	5	-	-	-	-	6
9	-	3	2	1	-	-	6
10	-	1	1	-	-	-	2
TOTAL	11	76	6	3	8	16	120

*Government 1984 Directory of School Officials

**Unique Boards: Uranium City has only 1 trustee; Yorkton Regional High School Board of Education has 11 trustees

The current interpretation in Saskatchewan appears to be that if a rural school board wishes to change the size of the board of education, it must formally request the Minister for a realignment of a subdivision. If this is accomplished, a trustee must be elected for this subdivision, thus altering the size of the board (Bill Wells, Senior Administrator, Government of Saskatchewan). The intensity of the request and the persistency of a school board greatly influences the Minister's decision regarding altering subdivision boundaries. Of course, data on local demographics and geography are also essential to such a decision.

Current legislation also allows a school board of five to 10 members to be increased in size by the addition of a representative from each Indian Reservation that may be contained within the geographical area of a school division. In some cases, this could increase a board size by two or three persons. The Municipality Act also allows city school boards to increase their numbers up to 20, but to date none have and all continue to exist as long-established boards of seven members.

In the past two years, only two requests for a change in number have come to the attention of the Minister. One was to increase its size by one, and the other was to decrease by one.

Although the numbers provided in the 1978 Act for Boards of Trustees are three to nine members, their elections were to be staggered. As of the spring of 1985 the numbers remain the same, but their terms of office are now to be identical to those of the board of education, namely, three years.

The election procedures of the fall of 1985 revealed that a number of school divisions held board of trustee elections at the same time as board of education elections with no change in numbers requested for any boards.

WHO ARE THE SCHOOL TRUSTEES OF SASKATCHEWAN?

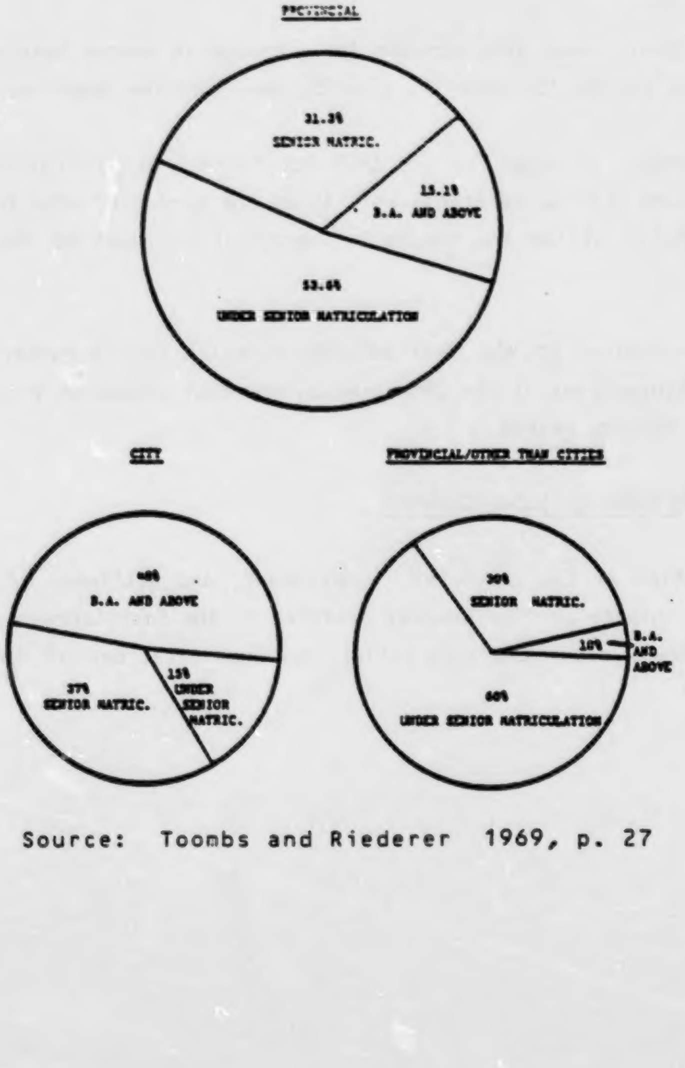
Through an investigation of the character, temperament, and attitudes of trustees, Toombs and Riederer (1969) were able to provide several profiles of the Saskatchewan school trustees. The following figures show various characteristics and qualifications of trustees at that time:

Information in figure 14.1 shows that in 1969, 53.6 per cent of the trustees had less than a Grade 12 education, although 48 per cent of the urban trustees had earned a B.A. degree or more.

In figure 14.2, trustees with four to six years of experience are shown to form the largest subgroup among city trustees; the typical non-city trustee was born in the mid-1920s and was a teenager during the depression of the 1930s.

Figure 14.1:

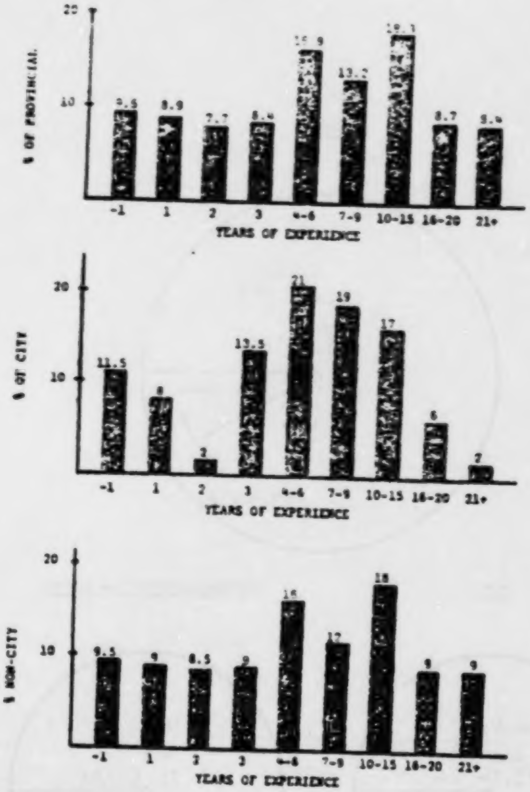
Educational Qualifications of Trustees



Source: Toombs and Riederer 1969, p. 27

Figure 14.2:

Years of Service as School Trustee

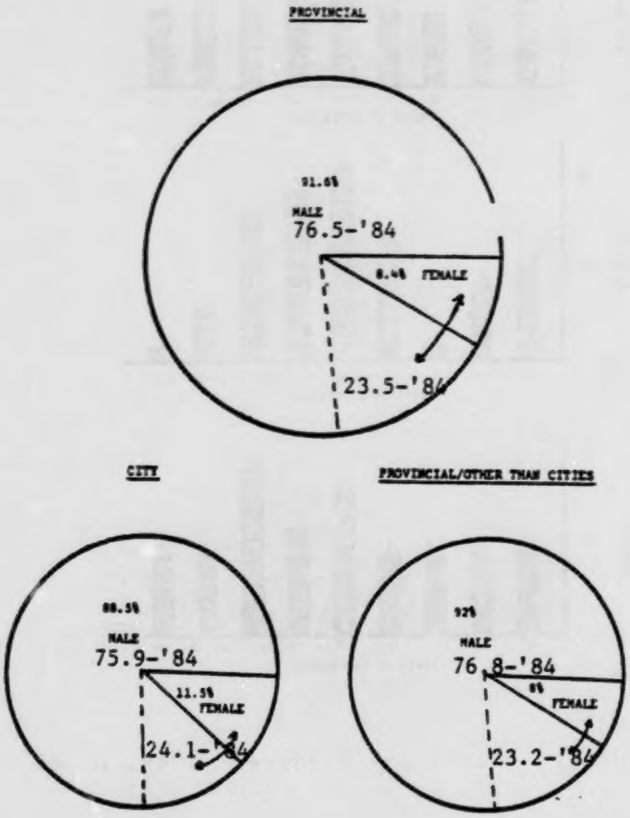


Source: Toombs and Riederer 1969, p. 28

The male-female distribution of trustees is shown in figure 14.3. Male domination at this level of governance is overwhelming. This distribution, however, changed markedly by 1984. The dotted lines indicate the changes in these relative percentages in 1984.

Figure 14.3:

Sex Distribution of Trustees



Notes: Dotted line marks percentage of female trustees in 1984.

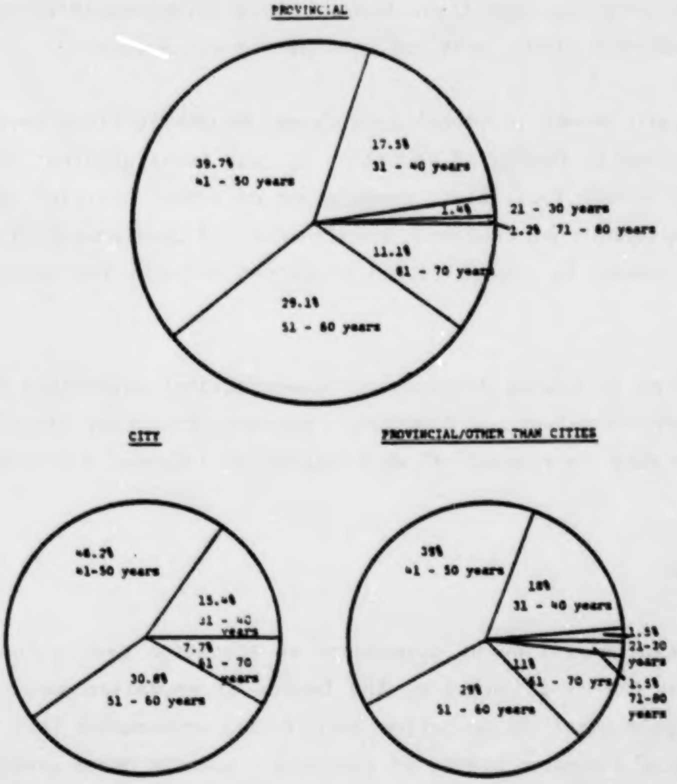
Sources: (1) Toombs and Riederer, 1969, p. 30

(2) Government of Saskatchewan, Director of School Officials, 1984

According to the circle graphs of figure 14.4, 39.7 per cent of the provincial trustee population were 41-50 years of age, with a slightly greater percentage of city trustees than non-city trustees falling into this category.

Figure 14.4:

Age Distribution of Trustees



Source: Toombs and Riederer, 1969, p. 33.

According to Toombs and Riederer (1969, p. 32) the typical Saskatchewan trustee served in a larger school unit, had 10-15 years of experience, was a married male between the ages of 41 and 50, was involved in agriculture, had an education of less than Grade 12, had children of both elementary and high school age, and could speak English only.

In a study on the Involvement of Board of Trustees in Education in Rural Saskatchewan in 1985, a profile of recent chairmen of boards of education and boards of trustees emerged (Neudorf 1985). According to these data, the typical chairperson of a rural board of education is male, has had more than nine years of experience on the board, is between 41 and 50 years old, and has at least a Grade 12 education. Board of trustees chairpersons were also typically male, but with less experience than their board of education counterparts. Of the 18 school boards surveyed in Neudorf's study, only one chairperson was a woman.

In terms of overall impact in school governance, Neudorf's study revealed that the boards of trustees were perceived by boards of education to have their greatest influence in decisions made concerning use of school facilities, formulation of school policies and programs, monitoring objectives and employment of teachers, maintenance and development of school buildings and facilities, and involvement in communication processes between the school and the community (Neudorf, p.50).

This study confirms an active involvement in educational governance by the local board of a school enrolment area - the board of trustees. However, the study also concludes that boards of education are very much in control of what boards of trustees may and may not do (Neudorf 1985, p. 52).

ISSUES AND SPECULATION

Centralization and decentralization of governance in education over a long period of time has had a major effect on the functioning of the boards of education and boards of trustees in Saskatchewan. Local government in education is a firmly entrenched institution in this province. Although the local boards - boards of trustees - operate under greatly restricted duties and powers, they, along with the boards of education, form a representative and democratic way of maintaining public and local control of education. Long struggles for equity in educational programming and finance have resulted in a foundation-grant program which seeks to allow the underpopulated and lower-assessed school jurisdictions to offer programs of education comparable to those offered in jurisdictions of greater means and resources.

In general, school governance in Saskatchewan appears to be in good shape and, at present, no major reforms are anticipated. Because the typical trustee has changed over the period from 1969-1985 - example, the number of women trustees has tripled from an approximate eight per cent in 1969, and the basic educational level of all trustees has increased - a rather new local government will emerge for 1986. Many of the newer trustees appear to be highly conscious of social issues and prevailing trends in education. Their influence is being felt throughout the province.

Although the system of governance appears stable, several issues remain unresolved and will demand continued attention. Reference to these is made here in itemized form:

1. Acute competition for financial resources continues between municipal and school board governing bodies. Historically urban municipal and school governments have worked in close proximity and continue to do so. But recent fiscal constraint at all levels has increased the potential for competition and conflicts.

   Rural areas operate under more independent boundaries, and issues of taxation for school revenues do not surface as readily or as contentiously.

2. Public apathy toward school governance remains. The public opinion poll cited in this paper reinforces this statement. The Saskatchewan School Trustees' Association planned a media campaign, just prior to the 1985 fall election, to encourage greater public awareness of, and participation in, matters of education, especially educational governance.

3. Urban publics do not know their school board members well. Even though the De Vlieger report of 1980 advocated a ward system for urban school elections, it was turned down by the Government that assumed power immediately following its submission. Large urban centres elect their trustees at large and often from a very large slate of candidates (25 or more). A strong impression was received from persons contacted in the writing of this paper that the at-large system of elections is too impersonal and minimizes the authentic representativeness of a school trustee in the city.

4. Local boards - boards of trustees - far outnumber boards of education. Because of the political astuteness of members of boards of education, this numerical fact remains an issue. In a number of school divisions, boards of trustees are allowed only token participation in governance decisions. However, because rural elections are based on subdivision jurisdictions, the board of education trustee has potential for greater local contact than does the urban counterpart. Nevertheless, the development of boards of trustees and local advisory committees could bring educational governance much closer to the schools' public than in the present situation.

5. The current government has been notably active in setting "educational directions" and establishing "core educational programs". Public education has been declared one of the primary emphases in the Government's present term of office. Although not much new has been said or done, a heightened awareness of education at all levels of schooling has occurred. Local boards and teacher-training institutions have become

involved in adapting education to the 1980s and the projected 1990s. It has been perceived that the public of Saskatchewan wants these initiatives at this time, and it may be predicted that some trustee election campaigns will centre on these directions.

6. Because the jurisdictions established in the mid-1940s have generally developed into the current school divisions with little change over the past 20 years, it is unlikely that any major change in school jurisdictions will occur within the next decade.

7. Saskatchewan has two superpowers in educational governance: the Saskatchewan School Trustees' Association and the Saskatchewan Teachers' Federation. Both work together remarkably well, both operate under the same legislation, and both have ready access to the government in power. Because of the existence of this viable and co-operative network, it would seem unlikely that any major change in education in this province could take place without a collaborative agreement among the three major parties. This governance characteristic may be somewhat unique to Saskatchewan, but it has existed for close to half a century and no major change appears imminent. Because of the staid form of governance in this province, a "bandwagon" approach to change is not possible and the unfortunate difficulties experienced by systems of some other provinces have not been felt here. However, a danger exists in such solidarity, in that innovations and program adaptations at all levels are too slow in coming and the possibility of remaining behind the times is a constant threat.

8. A more recent phenomenon, noticed most in urban jurisdictions, is the increasing impact of minority populations. Minority in this case refers primarily to the "visible minorities". However, the more "non-visible" minorities have also exerted political and program pressure. As a consequence, the two major urban boards of education have already established specific programs based on identifiable needs of Native Indian populations. Initiatives of this nature have also been matched by the Saskatchewan Department of Education through recent appointments of study groups for the development of programs for Indian Education. On a broader basis, new positions in the school administrative hierarchy are appearing. By way of example, the Regina Public Board of Education has just established a supervisory position in the area of Race and Ethnic Relations and Intercultural Education. The implications of such a move suggest a heightened sensitivity and responsiveness to issues of all minority groups within the school population served.

NOTES

1. The number of currently active boards is 120. Several school boards wish to retain their status as a board but currently have no schools in their division and purchase all educational services from adjacent divisions. Also, one urban school board exists as a composite (representative) of the surrounding boards and areas that it serves.

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APPENDIX 14.1:

INTERVIEWS

Interviews for the purposes of this paper were conducted with the following persons intimately connected with Saskatchewan Education and particularly informed on matters of school board governance and representation. Their assistance is greatly appreciated and acknowledged.

Mr. Ray Clayton, Director of Local Government Finance for the Government of Saskatchewan. Past Deputy Minister of Education.

Mr. Fred Dunbar, Solicitor in private practice and past legal counsellor for the Saskatchewan School Trustees' Association.

Mr. Ivan McKay, Chief, School Administration and Negotiation Unit, Saskatchewan Education.

Mr. Craig Melvin, Director, Research and Education Services, Saskatchewan School Trustees' Association.

Mr. Ron Thomas, Supervisor, School Administration Section, Saskatchewan Education.

Mr. Bill Wells, Senior Administrator, Government of Saskatchewan.

15. REPRESENTATION ON SCHOOL BOARDS IN ALBERTA

- John J. Bergen

HISTORY AND DEVELOPMENTS

The Province of Alberta was carved out of the Northwest Territories in 1905. The province inherited a school system which had its origin in 1875 when the terms of the Northwest Territories Act provided for the establishment of public schools, but also for the establishment of separate schools by the Roman Catholic or Protestant minority resident within an established public school district. The separate school district generally has boundaries coterminous with the public school district. Though the Ordinance of 1884 provided for a central board of education comprising an equal number of Protestant and Roman Catholic members, an ordinance of 1892 provided for uniform regulations governing public and separate schools, and that of 1901 for separation at the district level, but for non-denominational centralized control. These provisions of the 1901 ordinance were incorporated in section 17 of the Alberta Act of 1905 (Byrne 1957).

Because, in nearly all established school districts Roman Catholics have comprised the minority denominational group, separate school rights have concerned mainly those of the Roman Catholic faith. When members of the minority religious group within a public school district, which usually is the Roman Catholic group, request that a separate school district be established, the Minister arranges for a vote, and if the majority of the minority-group residents favours such a move, he or she is obligated to carry out the establishment of a separate school district (School Act, sections 52-5).

By 1905, 602 school districts had been established. This number eventually grew to more than 5000. Each school district was served by a board of three elected district residents. Beginning in 1913, consolidations of two or more small districts in order to produce enlarged districts began; however, only 63 such consolidations had occurred by 1919. Rural high school districts were introduced in 1921, but the total never exceeded 19.

The school trustees of the province first met at a convention called by A. D. Rutherford (Premier and Minister of Education) in 1907; this signalled the formation of the Alberta School Trustees' Association, which, however, was not incorporated until 1939. A Roman Catholic section of the Association was formed in 1926. Recurring issues faced by the Association concerned problems regarding human and capital resources and countering pressures from teachers (Roberts 1966). As the number of established districts grew, so did the number of school trustees in the province. By 1934 there were more than 10 000. During the conventions from 1929 to 1935, the Association opposed proposals for the enlargement of rural jurisdictions, as it also later did the introduction of the county system of local government (Weidenhamer 1976).

Larger School Administrative Units

Perren Baker (1929), Minister of Education, proposed a plan for enlarged school districts which would provide for a fairer distribution of cost, and the provision of more equitable opportunity for education and an improvement of educational programs. Although he was unable to realize the implementation of his plan, two experiments were conducted, one required by the influx of families to the Turner Valley because of the oil discovery in 1929, and another designed to alleviate the problems of the drought-stricken Berry Creek area in 1933. Furthermore, in 1935 a committee of the Legislature also recommended the introduction of larger administrative units for rural areas (Jonason 1952). Aberhart (1935), Premier and Minister of Education in the newly elected Social Credit government, repeated Baker's concerns and proposals and introduced legislation which permitted the Minister by order to create rural school divisions. The first commenced operation on January 1, 1937. Three years later most of rural Alberta had been organized into school divisions and Aberhart (1940) reported on the advantages which had been achieved. Elected division boards were placed in charge of all schools. Local boards were also elected in each of the original districts included in a division. The latter could make recommendations regarding the instruction of religion and French in the schools located in their districts. However, Jonason (1952) found that local interest diminished, although the public eventually favoured the larger school administrative units.

The problem of numerous small rural districts was parallelled by that of numerous small municipal districts. By 1944, the latter were reduced to 60 (Hanson 1956). Overlapping jurisdictions presented another problem. With the support of the Alberta School Trustees' Association and of the Association of Municipal Districts, a Coterminous Boundary Commission was established in 1953. By 1954 it had set out coterminous boundaries for rural school divisions and rural municipal districts.

The County Act, passed in 1950, provided for the introduction of an all-purpose local government unit. Responsibility for hospitals was later excluded, leaving school and municipal affairs, each directed by its respective committee, and each subject to the county council, which alone could borrow money, set taxation rates, and approve budgets. The county system was designed to remove the friction experienced between municipal and school governments and to provide for a more efficient system of local administration (Aalborg and Hooke 1961). Although the system was opposed by the trustee and teacher associations, counties were established by order of the Lieutenant-Governor-in-Council, but usually upon joint request of the respective school division and municipal elected boards and councils. The county system of local government was based on the English Borough system, which, however, did not contend with separate school districts, such as are prevalent in Alberta (Reeves 1955). Half of Alberta's school divisions were united with municipal districts to form counties. The fear that county school committees would show less concern for their educational responsibilities than would divisional school boards, was found to be unwarranted (Maertz, 1966).

Powers of School Boards

The Minister has the authority to create public school districts and school divisions, and to alter the boundaries of such districts and divisions (School Act, section 13). The Minister may specify the number of trustees to serve on a school board. He or she may also vary the number of trustees to be elected in each ward or subdivision of a district, although such change usually follows upon the request of a particular board (Tymko, October 1985).

School boards are subject to the provisions of the School Act. The powers of the Minister of Education in relation to school boards are stipulated not only in the School Act but also in the Department of Education Act (section 13). The Minister may appoint one or more persons to enquire into any school matter and to make any order "that to him seems proper" (section 11). These matters may include an examination of the financial and administrative condition of a school board, or any matter connected with the "management, administration, or operation" of a school board (section 12). Furthermore, "when he considers it in the public interest to do so", the Minister may appoint an official trustee to conduct the affairs of the board, at which time the members of the board "cease to hold office" (section 13). The latter is fortunately a rare occurrence. When it does occur, it may also involve the employment of a new Superintendent of Schools, and the subsequent new election of board members when the Minister is prepared to let the official trustee return his or her responsibilities to a locally elected school board.

Prior to 1970, only the larger school systems employed superintendents of schools as chief executive officers, in Alberta referred to as superintendents of schools. However, a superintendent was assigned to each of the school divisions and counties. Although the superintendent was appointed by the Minister, and responsible to the Minister, school boards were obligated to consult the superintendent, and the latter was required to attend all meetings of the board. Also, the board could direct the superintendent to assume general supervision duties over all of its schools (School Act, 1955, sections 189, 199). The School Act of 1970 required each school board "subject to the prior approval of the Minister", to appoint its own superintendent, and, furthermore, the board was permitted to "delegate any of its powers to the Superintendent of Schools" (section 65). Simultaneous with the introduction of the 1970 school legislation, regional offices of the Department of Education were opened in five centres. Consultants in each of these served primarily to be of service to smaller school systems, but were also expected to be "the eyes and ears of the Minister".

Brian Caldwell (in Bryce 1979) lists about 25 provincial acts which have implications for school boards. About half a dozen of these are of major importance. Two of these, the Department of Education Act and the School Act, outline the major duties and powers of school boards and of the Minister.

Upon adopting its estimates, a school board submits its requisition to the respective municipalities. The Minister may make regulations limiting the amount of money a board may requisition from a municipality (School Act, section 127). A school board also has the authority to borrow to meet current expenditures and to borrow for capital expenditures by way of a debenture (section 110).

In 1948, the council of a municipality was empowered to appeal school board requisitions to a commissioner appointed by the Minister of Municipal Affairs, when such a requisition exceeded that of the previous year by 20 per cent. That, according to Dibski (1963), was the first time control had been exercised over the fiscal activities of school boards.

Subsequently, a Local Authorities Board was set up to hear representatives of both school boards and municipalities when estimates or requisitions were being questioned. During the last decade, a school board wishing to exceed the approved increase was obligated to take the case to the ratepayers who would vote on the matter. Currently, school boards are not subject to limits in how much they may requisition for the portion which is collected through local taxation.

Generally, the tax for school purposes is levied and collected on behalf of school boards by the municipalities. Where such may apply, the Minister may empower a board to levy and collect taxes on its own behalf (section 140).

Local Advisory Boards

When school divisions were established, beginning in 1937, it was the published intention of the Minister that school boards should continue to be elected in each of the constitutent school districts. Their function was to represent the interests of the district residents and to make decisions regarding the teaching of religion and the French language in the schools located in their district units. All other direction, the hiring and appointment of teachers, and of financing, would fall to the school division boards. However, the intended objective of improving education in a division also involved the centralization of schools in which more subjects could be taught and in which teachers could teach in their specialization. As the local district schools were closed, interest in serving on local district school boards waned, and only a few districts maintained such boards. Such interest continued in some of the districts where schools were located.

Subsequent legislation (sections 26-8 of the current School Act) accommodated the formation of "local advisory boards" upon the petition to the Minister by three electors in any one district or combination of districts in a division or county. Upon a majority of the electors in such district(s) voting in favour of the establishment of an advisory board, the Minister establishes such a board and determines the number of advisors, not to exceed seven. Subsequently, advisors shall be elected in the same manner as board members.

The powers of a local advisory board (section 27) include those originally given to district boards when divisions were formed, requesting the division board to institute religious instruction and/or instruction in the French language in the local school. Also, it may nominate teachers for its school. Such requests are met by the division board "as soon as it is possible to do so" (section 27). The division board may delegate additional functions to the advisory board. Very few such advisory boards currently operate in the province. Although not within their statutory powers, some advisory boards have served as effective lobby groups in the interest of the residents surrounding the local school. For example, in some cases they have succeeded in persuading the division or county board to postpone, defer, or give up the closing of a local school despite declining enrolments which make the continued operation of such schools excessively costly.

CURRENT SETTING

The population of Alberta for 1985 was estimated to be about 2 344 600, an increase of 82 per cent in 25 years. The cities of Edmonton and Calgary comprise about half of the total population, each claiming over 600 000. Only about 15 per cent of the province's employment is found in agriculture and mining (mainly oil and gas). The largely urban nature of the province can be found in its 14 cities (ranging in population from about 7000 to 690 000), its 109 incorporated towns (ranging in population from 400 to 10 500), and its 167 villages.

Table 15.1 provides the number of urban and rural units which are organized to operate schools; therefore, not counting the Canadian Forces Base schools, about 165 elected school boards exist in as many organized school jurisdictions. However, only about 145 of these were operating schools for the year 1983/84. Only 48 of the approximately 70 Roman Catholic separate school boards operated schools within their districts.

Prior to the introduction of school divisions, schools were operated by all town and village school districts, and also by most rural school districts. Most town and village school districts chose to be included in the school divisions. This accounts for the fact that only 40 of the 109 towns and only 4 of 167 villages continue as operating school districts. Rural school districts within divisions and counties may operate schools only if they are organized as separate school districts. About 25 of these have been organized by the minoriiy Roman Catholic residents. However, not all of these operate schools. Only about five of the approximately 25 rural-district Roman Catholic school boards operate within their districts. The remaining number were organized in order to negotiate tuition agreements with neighbouring Roman Catholic separate districts, which permitted them to direct the property tax dollars of Roman Catholic residents towards the support of Roman Catholic separate schools, whether these be within the boundaries of their own districts or not.

Table 15.1 also indicates the range of school enrolment in the various school jurisdictions, and the approximate median of enrolment. As separate school systems generally serve a smaller relative population within the area which is coterminous with the public school district, their enrolments also are generally lower. For example, the range of enrolment for separate city districts is from 300 to 25 400, and for towns from 30 to 580.

Table 15.1:

Operating Local School Jurisdictions and Enrolments

Over-riding environment	Type of local unit	Approximate possible number	Number organized as school admin. units and/or operating schools	School Enrollment	
				Range	Median
Rural	Sch. Division	--	30	140 - 7,730	1,550
Rural	County	--	30	810 - 11,830[a]	1,850
Urban	City School District	14	26[b]	350 - 78,600	4,000
Urban	Town School District	109	40	30 - 2,230	320
Rural	Village School District	167	4	50 - 1,200	300
Rural	Rural School District	4070[c]	34[d]	10 - 2,950	120
Urban	Regional High School District	--	1	--	380
Urban	Cdn. Forces Base Schools	--	4	140 - 780	440

Notes:
[a] County of Strathcona includes the large urban development of Sherwood Park, neighboring the City of Edmonton
[b] Each city comprises a separate school district; the public schools of the city of Drumheller are under the Drumheller School Division Board and those of the city of Fort Saskatchewan under the County of Strathcona Board of Education.
[c] Most of these are included in school division and county school jurisdictions.
[d] Only 14 of the 34 organized rural school districts operate schools.

Sources: Bosetti (1984) and Hall (1984).

Table 15.2 gives the number of each type of organized school jurisdiction that is operating schools. The 30 divisions and 30 counties include about 4215 originally organized school districts. Most of these are rural; however, the number also includes two city school districts, about 70 town school districts, and about 165 village school districts, all of which are an integral part of the respective division and county school systems. About 140 of the school districts in the province are not included in divisions and counties.

The County of Strathcona, adjacent to the City of Edmonton, in addition to its rural territory, includes a large urban settlement (declared a "hamlet" by the Minister of Education for the purpose of determining additional requisitions), and also the schools of the adjacent City of Fort Saskatchewan, which makes it the fifth largest school system in the province, surpassed only by the public and separate school systems of the Cities of Edmonton and Calgary.

Northland School Division

Northland School Division was established upon the passing of a special statute, the Northland School Division Act (1965). The division was formed to include all or most of the school communities, in the northern part of the province, which were not included in any other division or county. Upon its institution, a board of seven trustees was appointed by the Lieutenant-Governor-in-Council. The Act also empowered the Minister to exempt the Division from any provision of the School Act. The revised Northland School Division Act of 1983 provided for the election of the Division board.

The Minister may divide the Division into as many as 31 subdivisions. A local "school board committee" is elected in each subdivision. The local board committee determines the number to be elected. The committee has powers similar to those of the local advisory board of a district contained in other divisions. Electors include residents on Indian reservations for which tuition agreements are in force between ihe Division Board and the Department of Indian Affairs and Northern Development, and such residents may also be elected to the local school board committee (section 1). The members of the Division Board are those persons elected as chairperson of local school board committees (section 10). Unless exempted by the Minister, the School Act and the Local Authorities Act apply to the Division, the Division Board, and the local school board committees (section 15). The Minister appoints the Superintendent of Schools for Northland School Division (section 10). Changes which can occur in order to meet special conditions are exemplified by the Division handing over three of its schools to the Little Red Indian Band which felt that it could better meet the needs of its people through its own board (Sadava 1985).

Lakeland School District

The former School Division of Bonnyville contained about 17 rural school districts. Within its boundaries also, eight independent school districts had been operating: three public school districts, four Roman Catholic separate school districts, and one regional school district (for

Table 15.2:

Numbers of each type of local school jurisdiction operating schools during 1984[a]

Type	Public	Separate		Total
		Catholic	Protestant	
School Division	30	--	--	30
County	30	--	--	30
City District	12[b]	13	1[c]	26[d]
Town District	11[e]	29	--	40
Village District	3[f]	1	--	4
Rural District	8[g]	5	1	14[h]
Regional High School	1	--	--	1
Cdn. Forces Bases	4	--	--	4
Totals	99	48	2	149

Notes: [a] Any changes in numbers for 1985 might have occurred only in the village and rural school district categories.

[b] One public city school district (St. Albert) is Catholic.

[c] The one Protestant city school district (St. Albert) does not differ from other public city school districts.

[d] Public and separate school districts are geographically coterminous.

[e] One town district (Devon) is constituted as an urban county; another is part of a consolidated school district.

[f] One public village school district is Catholic.

[g] Two of these are consolidated rural school districts.

[h] Two are coterminous, one public and separate, large rural school districts which formerly comprised a rural school division.

Source: Bosetti (1984).

the purpose of operating a centralized high school in the area). In order to solve complex jurisdictional problems, following a negotiated agreement with all units, in September 1980 the Minister dissolved all existing units and reconstituted the entire area as a rural enlarged public school district and a coterminous separate school district, each with the new name of Lakeland (Iles 1984). The newly constituted public and separate districts have school populations approximating 3000 and 1200 respectively, which makes each of the school systems larger than those in about half of the school divisions in the province.

Regional Districts

With the approval of the Minister, two or more boards may enter into an agreement to establish a regional district which will enable it to provide educational services not available in each district or division (section 23). The nature of representation by each participating board and details regarding the operation of the district shall be contained in the agreement. Of the few regional districts which have been established (only one remains at present), the purpose has been for the joint operation of a high school under a regional board.

Devon County

Devon has been listed along with other town school districts. It is however an urban county, organized under provisions of the Municipal and School Administration Act (section 3), which, upon the approval of the electors, permits the merging of the municipal administration and the school administration of a city or town. Devon does not have a separate school district. Hence, none of the complications found in rural counties apply to Devon. The elected council members all serve as the Municipal Committee and also as the Board of Education for the school system. At least three urban counties had been established. The Act permits a plebiscite after a trial period of four years in order to decide whether the merged form of administration is to continue. Only Devon has continued to operate as an urban county. Devon's population is about 4000. It is served by a council comprising a mayor and six councillors.

The Establishment of a County

Upon the receipt of a resolution by the Minister of Education from a division board, or by the Minister of Municipal Affairs from a municipal council, requesting that a county be established (County Act, section 4), the Lieutenant-Governor-in-Council may proceed to establish the county (section 2). The latter may also alter the boundaries of the constituent municipality and school division in order to provide a common boundary (section 2). Four years following the establishment of a county, the county council must provide the electors with the opportunity to decide whether they are in favour of the continuation of the county or of reverting to the former forms of government (section 5). A reversion has been exercised in only two or three cases.

Upon approval of the electors, the municipal and school administration of cities, towns, and villages included in the county area may be merged with the county (section 3). It is more common only for the administration of the urban school systems to be merged with the county (section 25). Cities, towns, and villages included in a county area only for educational purposes, are referred to as "educational units" (section 1).

The reeve, councillors, and electors of a county are a "corporation", which, in addition to holding property, can become party to such contracts and agreements that are within the power of municipalities, school districts, and school divisions (section 11). The county council is the governing body of the county (section 9), which exercises all "rights, powers, privileges, duties, and functions" exercised by a municipal council or a school division (section 12). Including the reeve, a county may not have more than 11 councillors. The range for Alberta counties is from 5 to 11, the median number being 7.

The county council is required to establish a municipal committee (section 16) and a board of education (section 17), each comprising not less than three members of the council. In practice, all eligible members of council sit on each committee during the conduct of that committee's business, and as members of the county council make decisions involving property, budgets, and contracts. However, a person who is an elector of a school district that is not included in the county for school purposes, such as a separate school district, is not eligible to be a member of the board of education, although such a person may be a member of county council (section 17). The reeve is the chief executive officer of the county and holds all the "rights, duties, privileges, and powers" of a reeve of a municipality and of the chairman of a board of trustees (section 13).

The board of education exercises all the powers of a board of trustees under the School Act, except the power to borrow money or to pass a by-law (section 30). The board prepares the estimates and calculates the amount of the requisition to be made (section 34); however, the county council may increase or reduce such estimates, and adopt the final budget for the county. The proportion of the budget approved on behalf of the board of education is administered and expended under the direction of the board (section 31). Similar powers, restrictions, and controls apply to the municipal committee in the preparation and expenditure of that portion of the budget approved on behalf of that commiitee.

The County Act also provides for an annual meeting of ratepayers, when provision is made for the discussion of school affairs. At such a meeting, the electors of education units (cities, towns, and villages) included in the county for school purposes are entitled to participate, sponsor motions, and vote on "any matter or resolution that is brought before the meeting on school affairs" (section 40). However, general meetings are poorly attended. For example, a recent annual meeting of the County of Strathcona, the largest county in the province with a population of about 50 000, was attended by only about seven ratepayers! When items of special concern to certain groups within the community are on the agenda, larger participation can be anticipated.

Representation of Local School Authority Governing Bodies

The Small School District: Most small school districts have a board of three elected trustees. There are no complications with respect to representation.

The Larger School District: Larger districts may have as many as nine elected trustees, as do the larger city districts (School Act, section 29). Generally, a ward or subdivision system is not in vogue, and all trustees are elected at large.

The Rural School Division: The number of school division board members may range from three to nine, as determined by the Minister who can also specify the number of trustees to be elected in each subdivision (School Act, section 29). As all electors and eligible candidates for office are residents of the school division, no complications arise with respect to representation. Where a petition is made to the Minister, a local advisory board may also be elected within any subdivision, or for a particular district or combination of districts within a division (section 26).

The County Board of Education: All elected councillors, except those who are resident in a school district not under the administration of the county, may be members of the county board of education. Included "educational units" are represented on the board of education by members elected in their respective units (section 7). One school representative may be elected by the electors of an educational unit having a population not greater than 1000 persons, two representatives if the population is up to 4000 persons, and three if the population is greater than 4000 persons (section 19). However, "the number of school representatives appointed to the board of education shall not exceed the number of electoral divisions that exist within the county" (section 17). If the number of such representatives exceeds the number of positions which may be filled on the board of education, the county council meets with the representatives and determines a "system of rotation" (section 20). In practice, the rotation may be determined by the county council to be on an annual basis, a monthly basis, or on a per-meeting basis. School representatives may attend meetings of the board when, on the basis of rotation, they are not appointed members of the board during an interval (section 20). School representatives sitting on the board of education exercise all the rights and powers of a member of council "when the business before the county council relates to the annual estimates of the board of education" (section 32).

The Local Authorities Election Act regulates the election of all local authorities, including that of school board trustees, of municipal and county councillors, and of school representatives to the county board of education (sections 1 and 2). A candidate for office must be eligible to vote in that election and have been a resident of the local jurisdiction for six consecutive months immediately preceding nomination day (section 21). The term of office is three years. A general election is held on the third Monday of October (section 10) every third year (section 9). The terms of all elected local authorities in the province end at the time of the next election (e.g., October 1986).

Inequalities of Representation

Hodgson (1980) draws attention to the fact that, within the area of a county, one may find independent towns and villages which include rural lands within their school district boundaries, and that such school districts may be served by the county. Also, one may find independent rural separate school districts, the lands of which are part of the county for municipal purposes, and whose residents are eligible to be elected as county councillors. The problems which Hodgson outlines are illustrated in table 15.3.

The residents of a rural part of the county other than a separate school district have rights similar to those in an independent school district or that of a school division. Their rights do not extend beyond the jurisdiction in which they vote and in which they may be elected. Residents of a separate school district, which is not part of the county school system, have the right to vote in the separate school jurisdiction and also to be elected as separate school trustees. However, the County Act also entitles them to be elected as county councillors, because they are residents of the county for municipal purposes. Although they cannot be members of the county board of education, and although they pay no taxes in support of the county school system, as county councillors they make decisions and vote on estimates, budgets, and by-laws concerning county education. They thus possess a "right" not held by any elector in any other school jurisdiction of the province.

The resident of a town or village not included for municipal purposes cannot be elected as a county councillor. When such towns and villages are included in the county for school purposes only, as "educational units" these may elect school representatives to the county board of education. Residents of these towns and villages may not vote on the issue of whether to dissolve or to continue the operation of a county, and their representatives may not vote on county by-laws. Representatives may vote on the education budget, but only if they have been elected chairpersons of the boards of education at their annual organizational meetings. Furthermore, if the number of representatives exceeds the number of councillors, representation by rotation for a time leaves one or more units without any representation at all on the board of education.

Although the County Act permits the board of education to elect its chairperson, who can also be a school representative who is a board member (section 17), the Act also vests the reeve, as chief executive officer of the county, with all the powers of a chairperson of a board of trustees (section 13). There have been instances when a reeve has called a meeting of the board of education in order to overturn a decision made at a meeting by the board under its elected chairman.

The Report of the Royal Commission on Education in Alberta, 1959 provided the following comment on this anomaly:

> This weakness of the statutory provision for county government is dangerous if jurisdiction over public school matters

Table 15.3:

Rights of the Citizens of a County School System as Electors or as Elected Members

Citizen	County Council functions re education			Board of Education	Vote on Dissolution of county	Pays taxes to County School System	Citizenship rights in another district
	Estimates (s. 31)	Budget (s. 31)	Bylaw (s. 11)	(ss. 12, 30-31)	(s. 5)		
Resident of a rural part of the county, other than of a separate school district	yes	yes	yes	yes	yes	yes	no
Resident of a rural separate school district within the county	yes	yes	yes	no	yes	no	yes
Resident of a town or village included in the county for school purposes only	by rotation (s. 33)	only as chairman of the Board (s. 33)	no	by rotation (ss. 17-21 & 28)	no	yes	no

> rests only upon the goodwill and sense of propriety of any councillor (Clarke 1960, p. 40).

Although dissatisfaction with the county arrangements for school administration is expressed, to date there has been no groundswell of opinion or sufficient interest of any pressure group to set in motion a determined political will to challenge the constitutionality of the Act, or of causing any major revision of the legislation to take place. The issue is of little interest to public and separate school trustees of independent school districts and school divisions, and to county municipal councillors and county reeves. Hence the issue does not assume any priority on the agenda of the Alberta School Trustees' Association. Although the county system of education is not favoured by some educators, the matter is also not a priority for the Alberta Teachers' Association.

As the County Act now stands, all 30 existing counties remain permanent jurisdictions because the Act only provides for the initiation of procedures leading to a decision of reverting to prior forms of local government "immediately after the expiration of four years from the date of the formation of the county" (section 5).

Current Developments Which May Portend Modest Reforms

At this time a revision of the County Act is not under consideration. In spite of its shortcomings and its provision for unequal representation on the county council and the board of education, those bodies which could be most concerned are not motivated to place any consistent pressure on the Government to make substantial changes in the legislation. Also, there has been insufficient interest on the part of any agency to fund the seeking of a legal opinion on the constitutionality of the Act. There is some opinion that the "county" may have had "its day", and that in due time the Charter of Rights and Freedoms might be invoked to challenge its validity (Tymko October 1985).

Since the introduction of larger rural school divisions in the 1930s and of the county in the 1950s, no changes of significance have occurred either in the structure of school jurisdictional structures, nor in the representation of the electorate on school boards. The School Act does not allow for the creation of separate school divisions, only that of separate school districts. However, the amalgamation of all the lands of the school districts within the former Bonnyville School Division, and the concurrent creation of equally large coterminous public and separate school districts was in fact a way of circumventing a restrictive law. (Roman Catholic separate school supporters for some time have made unsuccessful overtures to the Government to amend the legislation so that separate school divisions might be established.)

Tymko (1985), quoting a 1982 report of the Alberta School Trustees' Association, points out that decreasing centralized control of decision making in education was characteristic of the late 1960s and early 1970s, but that, in the late 1970s and early 1980s, there has been steadily increasing centralization of control in selected areas. An example of this is the introduction of a management and finance plan in 1984 (Program Policy Manual 1985) which requires school boards to provide annual reports of their programs and services in detail. Tymko (1985) suggests that the net effect "will be one where school boards will no longer exercise the traditionally understood notion of local control" and a system of "centralization of control and decentralization of accountability" (p. 16). Another example of this trend is the establishment by the Minister of the Council on Alberta Teaching Standards which is to deal with alleged teaching incompetence and to work on a new teaching profession act. Of the 11-member body, 5 are teachers. In the early 1970s, the testing of high school students was relegated entirely to the local school boards and schools. Since 1985, students must write provincial examinations in order to obtain a diploma which will be recognized for university entrance.

Additional committees of the Minister brought forth reports and recommendations on the review of secondary programs and on tolerance and understanding. Ghitter (1984) recommended that every school should have a policy for greater involvement of parents (p. 52).

Also, the Minister commissioned a study of private schools. Woods Gordon (1984) accepted that private schools have a place in order to ensure the accommodation of a "plurality of interests and needs represented in Alberta society" (p. 3), and supported the continuation of per-pupil grants in support of meeting a portion of the costs of operating private schools.

Another event which may have an impact on new school legislation is a recent court decision on behalf of Francophone parents (Holubitsky 1985), in which Justice Purvis concluded that the Alberta School Act "should award to the citizens of Canada who qualify under section 23 ... the right to exercise a degree of exclusive control over French-minority instruction for their children in Alberta." In Edmonton alone there are about 3750 students who would be eligible for Francophone education. As the litigants were not satisfied to accept a Francophone school under the direction of one of the Edmonton school systems, the fear has been expressed that an eventual outcome could be four school systems, a French Roman Catholic and a French Public, in addition to the current English Public and English Roman Catholic systems. The Minister intends to negotiate with the French-Canadian Association of Alberta and the Alberta School Trustees' Association regarding the degree of parental control to be worked out. However, it is more likely that new school legislation may provide for a form of "local advisory committee" which, under an existing board, would be given powers equal to those intended by the Court's decision.

The most important event signifying change is the imminent revision of the School Act. In February 1984, the Minister announced that a revision of the School Act would be undertaken, and established a Policy Advisory Committee for the School Act Review (Fyfe 1985). An early discussion paper, consisting mainly of questions about various parts of the current Act, was circulated and resulted in about 200 submissions. However, about 1000 submissions were received as the Committee held hearings throughout the province following its publication of the Partners in Education: Principles for a New School Act report (Fyfe 1985). The report underlines the constitutionality of the current provision for separate school boards (p. 9). The clause "the Province retains its constitutional responsibility for education, while delegating the general administrative responsibility for the running of schools to locally elected school boards" (p. 15), caused the expression of concern by the Trustees' Association's executive-director Tymko (1985). In order to permit increased participation in education, the report suggests that school boards may reflect a "shared responsibility" by establishing "Parent Advisory Councils and Local School Councils" (p. 27). The Worth Commission (1972) also had recommended school councils which would include parent and student representatives (p. 126). Representing the trustees, Tymko (1985) objects:

> In education, while all parents cannot, individually, control the schools, they can and do express themselves singly and collectively through the local school board - a public body charged with the responsibility of governing the school system and ensuring the delivery of educational services. It is in this fashion that local control provides for "closeness" and is equated to some degree with democracy (p. 17).

However, Tymko does not reflect the total reality. The Fyfe Committee no doubt had the Canadian Gallup Poll (1984) results for Alberta, in which 52 per cent of the respondents between ages 30 and 49 (the age group most likely to have children in school) indicated that they had little or no contact with their schools (p. 6). Also, the Canadian Education Poll (Flower 1984) indicated that 47.2 per cent of the respondents in the Prairie Provinces (47.6 per cent for all of Canada) said that "the general public has too little say in how the schools are run" (p. 70), and 18.8 per cent (21.1 per cent for all of Canada) responded that they had very little confidence "in the ability of the local school boards to deal with school issues" (p. 68).

If the new School Act is to address itself to such facts as are gathered in opinion polls, and to the frustrations expressed in many of the submissions to the Fyfe Committee, it would follow that school boards may lose some of their current independence by default, by not having responded adequately and sensitively to local concerns. Some kind of representation at the school level is a possibility; however, the final outcome will also be subject to the political process and the strength of the interest and pressure groups, in this case, particularly that of the Trustees' Association.

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16. TO HAVE OR NOT TO HAVE: THE PERSISTING AMBIVALENCE TOWARDS AUTONOMOUS SCHOOL BOARDS IN BRITISH COLUMBIA

- Norman Robinson

PRINCIPAL ISSUES IN THE REPRESENTATION AND CONTROL OF EDUCATION IN BRITISH COLUMBIA

Should There be School Boards?

In British Columbia, the question of how school boards should be elected has always been a much less important question than whether there should be school boards at all. From colonial times to the present day, a fierce, persistent political struggle has been waged between two groups with competing ideologies of school governance. The first group (whom we can call the "centralists") believe that school boards are simply not necessary. If boards are allowed to exist, however, they should have advisory powers only, or they should have extensive controls placed on their operation. The centralists believe that the province's education system can be run most efficiently by the provincial government through its employed professional officials. The idea of allowing local control into education is an invitation to profligacy, nepotism, and lack of quality control. The second group (whom we can call the "devolutionists") believe that elected school boards are one of our society's finest examples of direct democracy. If schools are to be responsive to the needs of the communities they serve, the people of the community need to control the schools through their elected representatives on a local school board. To have schools controlled by a central provincial authority is to invite regimentation, arbitrariness, and lack of responsiveness to local wishes and needs.

The basic and persisting conflict in British Columbia between the centralists and the devolutionists has not been restricted to education. Although education has provided the most bitter and protracted fights between the two competing ideologies, this same tension between the centralists and the devolutionists has pervaded the governance and administration of other areas, such as municipal affairs, welfare, etc. It should be noted, as well, that the struggle between the centralist and devolutionist ideologies in the governance of education is very much related to what Dahl and Lindblom (1953) have called the "first problem of politics", that is, what should be the relation of the governors to the governed. Both the centralists and the devolutionists are concerned with serving the needs of the governed. They disagree sharply, however, on the form of governance required to meet the needs of those who are governed. What makes British Columbia so interesting in terms of educational governance is the fact that the conflict between the centralists and the devolutionists has been so sustained. For almost 150 years, British Columbia has been racked with argument over how education should be governed. In some periods, the centralists have been in ascendancy; in other periods, the devolutionists have been in the lead.

As indicated at the outset, the big question in the representation and control of education in British Columbia is whether or not there should be school boards. This is not to suggest, however, that other representation and control questions have not been important in the educational history of the province. At least six other major representation and control questions have been important. Some of these questions continue to be important:

1. The right to vote and the right to serve on school boards:

British Columbia has a very mixed record of liberalism in terms of enfranchising its citizens to vote in school board elections. British Columbia led the rest of the country in allowing women to vote and hold office on school boards (Phillips 1957). As early as 1885, wives of eligible voters could vote in rural school elections. In 1889, women could stand for election in city school districts and, in 1896, this same privilege was extended to women in rural school districts.

The granting of the vote came much slower for certain minority groups. For example, East Indians did not get the vote in British Columbia until 1947. For Canadians of Japanese and Chinese origin, this right was denied until 1949.

Teachers and other school district employees have never been allowed to stand for school board election in the districts in which they work. They can stand for election, however, in other districts. The question of whether or not teachers and other school district employees should be allowed to stand for school board office in any school district continues to be an issue.

2. Special status school boards:

At the time British Columbia entered Confederation in 1871, no provision existed for denominational schools. British Columbia has had, since early times, a single, non-sectarian public school system. The demands by denominational, ethnic, and other groups for special status boards supported by public money have always been rejected. The issue is a persistent one, however, and continues to be present in British Columbia education.

3. Direct voter control of school board expenditures:

A common feature of many American school districts is the annual referendum on the school budget. British Columbia is the only Canadian province to experiment extensively with this idea (Robinson 1971). From 1968 to 1972, any school district with a budget over the approved provincial government maximum had to receive approval for the budget overage: one of the ways was through voter approval in a referendum. This idea of a referendum was abolished in 1973 but was reintroduced in 1985 with some changes in operational details.

4. The county or all-purpose form of government:

The idea of a county or all-purpose form of government at the local level has had its supporters in British Columbia from earliest times to the present. Periodically, proposals are advanced that favour the county system. The most recent proposal (B.C. Ministry of Municipal Affairs 1981) called for the establishment of a form of county government for the Queen Charlotte Islands. These islands have a population of about 6600. At the time of the proposal, local government on the Queen Charlottes consisted of 41 elected and nine appointed officials sitting on two municipal councils, one school board, two hospital boards, a regional district board, and a health and human resources board. The proposal called for the abolition of all these councils and boards and replacing them with a single county council of 12 to 15 members which would be responsible for education, health, human resources, police, library, recreation, fire protection, airports, rural settlement planning, and rural improvement. The proposal was bitterly attacked by both the British Columbia School Trustees' Association (BCSTA) and the British Columbia Teachers' Federation (BCTF), who saw it as a threat to the autonomy of school boards. In the end, the proposal died when the Minister advocating it was transferred to another portfolio.

5. Control of school boards by municipal councils:

From time to time, proposals have been advanced that would give municipal councils either full or partial control over school boards. For example, in a brief to the Commission of Inquiry into Education in 1925 (Putman and Weir 1925), the Union of British Columbia Municipalities advocated the following control forms for education (in descending order of desirability): (a) school boards should be abolished and the provincial government should assume full control of education; (b) school boards and municipal councils should be amalgamated; (c) certain members of municipal councils should be appointed to school boards; (d) the provincial government should impose limits on school board budgets and taxing authority. None of these proposals came to pass at the time, but, in 1968, municipal councils were given a measure of control over school district budgets.

6. Partisanship in school board elections:

Education in British Columbia has been a partisan issue in provincial politics from earliest times to the present. In the past decade and a half, partisanship has become a feature of school board elections in the larger urban centres. For example, Bartunek (1981) reports that the majority of school districts in Metropolitan Vancouver had partisan contests for school board seats. In most of these school districts, the educational differences between the parties or slates contesting the seats were the same issues that divide the political parties at the provincial level (Hansen 1983). Furthermore, candidates for provincial and federal elections are often recruited from the ranks of sitting school board members (Robinson and Stacey 1984). In a sense, the world of school board politics, like the world of municipal politics, serves as a kind of farm system for the major leagues of provincial and federal politics.

In summary, the most important issue in the representation and control of education in British Columbia is the question of whether or not there should be school boards. Six other issues of somewhat lesser importance have been present, or are still present. It is quite remarkable that the major issues are more or less the same today as they were in the early days of the life of the province. It is also remarkable that British Columbia has not been vexed by some of the issues that have bothered school systems in other parts of Canada. The question of the apportionment of trustees, according to special status, has never been discussed, let alone considered. In addition, there has never really been any debate over the merit of appointed trustees over elected trustees.

The three sections that follow in this paper discuss: (1) the historical development of the governance of education in British Columbia; (2) the current status of educational governance in British Columbia; and (3) prospects for the future of educational governance in the province.

HISTORICAL DEVELOPMENT OF THE GOVERNANCE OF EDUCATION IN BRITISH COLUMBIA

The Colonial Period (1849 to 1871): The Development of a Centralized Public School System

The first reference to education in British Columbia occurs in the Standing Rules and Regulations of the Hudson's Bay Company adopted in 1836 (Johnson 1964). Reference is made to the fact that each officer of the Company who had children was to devote part of his leisure hours to teach the children their ABCs and catechism (Oliver 1915). In 1843, the headquarters of the Hudson's Bay Company west of the Rockies was established at Fort Victoria on Vancouver Island. Six years later, in 1849, the Crown Colony of Vancouver Island was founded and the first settlers began to arrive to take their places alongside the fur traders and their families. Schools were needed and the churches provided them. The Church of England ran a school for the children of the Hudson's Bay Company's officers. The Oblate Fathers ran a school for the children of the French-Canadian voyageurs who worked for the Company.

In 1858, gold was discovered on the mainland of British Columbia and the Crown Colony of British Columbia was founded to provide law and order. Church schools were developed in the new colony's capital, New Westminster, by the Church of England, Roman Catholics, and Methodists.

All of these early colonial schools had two common characteristics - they charged fees and they were church-controlled. As more settlers came into the two colonies of Vancouver Island and British Columbia, a demand arose for free, non-sectarian schools that would be part of a properly organized school system. Two young newspapermen - Amor de Cosmos on Vancouver Island and John Robson in British Columbia - led the fight for a free, non-sectarian school system.

Amor de Cosmos was a colourful figure who had been born in Nova Scotia as William Alexander Smith. As a young man he had gone to the California gold rush in 1849, had trouble getting his mail with a name like Smith, and had changed it to Amor de Cosmos. He changed it, he said, because "it is an unusual name and because it represents what I love the most - order, beauty, the world, the universe" (Wild 1958, p. 58). He came to Victoria in 1858 and started a newspaper called The British Colonist. De Cosmos lost no time in attacking the privileged position of the Church of England on Vancouver Island. At the time, a proposal was being put forth for "clergy reserves", whereby the Church of England would be subsidized through the sale of public lands. De Cosmos proposed instead that the lands should be "school reserves" and that the money received from their sale should be used to support a public school system which would be free and non-sectarian. Through his newspaper, de Cosmos kept up his fight and his efforts were rewarded with the passage of the Free School Act. This act provided for free, non-sectarian schools. To govern the schools, there was to be a General Board of Education, a Superintendent of Education, and local three-person school boards. The General Board, the Superintendent, and the local boards were all to be appointed by the Governor of the colony. The General Board had all the governing powers. The local boards were limited to advisory powers. De Cosmos, a strong devolutionist, was not pleased with the highly centralized school system that had been created but said "we are not disposed to cavil at the imperfections of the bill as long as the two great principles - free schools and a non-sectarian system of education - are enunciated" (British Colonist May 13, 1865).

In the mainland colony of British Columbia, John Robson, editor of New Westminster's paper, The Columbian, led the fight for a free, non-sectarian school system. Robson was from Ontario and had great admiration for Egerton Ryerson and his ideas. Robson opposed any attempt to support churches through the sale of public lands and proposed, like de Cosmos, that money from the sale of public lands be used to support a public school system. No school act was ever passed in the Colony of British Columbia.

In 1866, the colonies of Vancouver Island and British Columbia were joined together as the Crown Colony of British Columbia with its capital at Victoria. A school act for the united colonies was passed in 1869. This act (Common School Ordinance Act) provided for a free, non-sectarian school system that would be governed centrally from Victoria. When British Columbia entered Confederation in 1871, the provisions of the Common School Ordinance applied. These provisions meant that British Columbia was the first province to enter Confederation with a strictly non-sectarian system of public education.

Continued Centralization (1871 to 1888) and the Growth of Devolution

At the time British Columbia entered Confederation, there were 21 schools in the province and the total school population was under 1000 pupils. To govern this system, the legislature of the new province passed the Public Schools Act in 1872. It reaffirmed the principles of a free, non-sectarian school system financed and controlled by a provincial central authority. The governing powers were vested in the board of education. These included the appointment of teachers, the dismissal of teachers, the establishing of curricula, the building of schools, etc. The new school act did provide for the election of local school boards, but the powers of these boards were limited to seeing that provincial regulations were carried out and that the school buildings were being kept in good repair.

Following the completion of the transcontinental railway in 1886, British Columbia began to grow very rapidly. In 1885, there were only 4127 children enrolled in schools in 77 school districts. By 1903, there were 24 499 children in 268 districts, and, by 1942 there were over 100 000 children attending schools in 760 school districts. Most of this growth in enrolment took place as a result of in-migration, but a substantial amount of it is attributable to stricter enforcement of compulsary attendance laws passed in 1873. In 1885, only 52 per cent of school-aged children were in school; but, by 1924, this figure had risen to 83 per cent.

The rapid growth in public enrolment that took place caused a strain on provincial government revenues. To reduce this strain, the Provincial Government began to ask local school boards to assume some of the costs of education. In 1888, city school boards were required to pay one-third of the cost of teachers' salaries. In 1891, this portion was raised to one-half. Finally, in 1906, city schools were required to pay all school operating costs. With the city school districts assuming more and more of the responsibility for financing education, a gradual devolution of authority from the province to the city school districts began to occur. Full authority did not devolve directly, however, from the Provincial Government to the local boards. Instead, the Provincial Government used municipal councils as a body to oversee city school board operations. For example, in 1888, mayors of cities were empowered to sit on school boards with all the rights of ordinary trustees. In fact, the law required that the mayor serve as chairperson of the school board. For a brief period from 1888 to 1892, city school districts had full fiscal autonomy; but, in 1892, city councils were given control over the school board budget. Finally, in 1893, the full fiscal authority of school boards in cities was restored.

In rural school districts, Provincial Government control and financing of education continued. If anything, centralized control seemed to grow stronger. Many of the three-person school boards were proving to be ineffectual in carrying out their limited duties. As a result, the government, in 1909, provided for the dismissal of any board not carrying out its duties and replacing it with an Official Trustee who would be appointed by the Provincial Cabinet. By 1924, there were nearly 100 school districts being governed by Official Trustees.

In 1924, the Provincial Government established a Commission of Inquiry into Education in British Columbia. To carry out this inquiry, the Government appointed two prominent leaders in Canadian education - Dr. George M. Weir, Head of the Department of Education at the University of British Columbia, and Dr. J. Harold Putman, Senior Inspector of Schools for the City of Ottawa. The report produced (Putman and Weir 1925) was in time proclaimed as "the most thorough examination of any school system in Canada" (Phillips 1957, p. 263). The report dealt extensively with the question of educational governance in British Columbia. Putman and Weir were both strong devolutionists and they rejected totally the demands of petitioners at the inquiry hearings who asked that total control of education be exercised by either the Provincial Government or municipal councils. Putman and Weir favoured a strong system of locally elected boards, with full functional autonomy. They felt that schools, like the courts, should be independent of the municipal, provincial, and federal political systems. In support of their position they quoted the then President of the University of Washington who said:

> Courts protect the guarantees of our constitutions and the equitable administration of our laws. Schools guarantee equality of opportunity for children to grow in character, personal power, and good citizenship. Custom has made both schools and courts independent of the general course of partisan politics.
>
> It is not a mere historic accident that local school boards rather than town or city councils manage education; that schools maintained by the state should have their special boards of trustees undominated by the changing political administrations of the state. Education, as a special instrument of equal opportunity for human beings, deals with fundamental, unchanging guarantees that no political campaign with its passionate temporary quarrels should affect (Putman and Weir 1925, pp. 24-35).

The recommendations for the continuance and strengthening of local school boards made by Putman and Weir were accepted by the Provincial Government.

The Depression and War Years (1929 to 1945): Moves Towards Recentralization

The depression hit British Columbia very hard. Declining markets for the products of the basic industries of lumbering, mining, agriculture, and fishing meant that thousands became unemployed. Provincial Government revenues fell and ways were being sought to cut social spending. George Weir, who had left the university world to enter politics in 1932, was now Minister of Education. He felt that the cost of education could be reduced without sacrificing quality if the number of school districts could be reduced. In the 1933-1934 school year, for example, there were 826 school districts in British Columbia. Each district was supposed to have a three-person school board. The reality was that in 160 of the districts, the system of elected trustees had broken down and the Provincial Cabinet had appointed Official Trustees to govern these districts. In many of these districts, there was no one eligible to stand for office. One requirement for standing for office was payment of current taxes. In some districts, three people who had paid their taxes and were willing to serve could not be found.

Past attempts to induce voluntary consolidation of school districts had met with only moderate success. The Provincial Government decided that the time was now propitious for a bold experiment in school governance and administration - the Peace River experiment. In a series of steps carried out between 1933 and 1935, all the schools in the Peace River region (a huge area of over 5500 square miles) were placed under the control of a single Provincial Government official called the Director of the Educational Unit. The local school boards that had existed were now to be simply advisory bodies. By the end of the 1936 school year, the Director of the Educational Unit was able to report an expansion of educational services and a reduction in property taxes (Plenderleith 1936).

While the Peace River experiment was going on, the Provincial Government established in 1934 a Commission of Inquiry on School Finance under a senior Department of Education official, H. B. King. The recommendations made by King in his report (King 1935) strongly favoured the centralization of educational control. King recommended that the province should assume the total cost of education and that all local school boards should be abolished - the province should be divided into large educational units each headed by a provincially appointed professional educator who would have the title, Director of Education. King anticipated that there would be an outcry over the abolition of school boards and in his report he said:

> It may be objected that a more centralized system of education would be undemocratic. In that case democracy must have already died out in practically all British countries. Likewise all provincial functions now administered centrally must have been administered in violation of the principles of democracy.
>
> As to preserving the district system because of its so-called democracy, we may state that the chief reason for demanding its abolition is that it is the most undemocratic system that could be devised. The essence of democracy is equality of opportunity. We have shown that the district system not only fails to provide such equality, but makes any approach to equality impossible (King 1935, p. 128).

Public reaction and professional reaction to the King report was negative. The BCSTA could not accept the recommendations for the elimination of school boards. The BCTF objected to the idea of becoming provincial civil servants and being placed through a central placement agency. The Minister of Education, George Weir, hastily assured people that the Government had no intention of legislating school boards out of existence (Vancouver Province September 17, 1935, p. 7).

Although the recommendations of the King Commission were rejected, the Provincial Government continued to promote the recentralization of education. Large units administered by a Director of Education were established in the Fraser Valley in 1936 and on Vancouver Island in 1942. It appeared that British Columbia education was set on a steady course towards increased centralization.

The Cameron Report and the Resurgence of Devolution (1945 to 1968)

The Peace River experiment and the subsequent establishment of large district units elsewhere in the province had convinced educators and many lay people of the distinct economic and educational advantages associated with the large school district unit. Thus, in 1944, the provincial government appointed Dr. Maxwell A. Cameron, Professor of Education at the University of British Columbia, to conduct a commission of inquiry into school district organization and financing.

At the time of the Cameron inquiry, there were 649 school districts under the authority of 436 school boards and 213 Official Trustees. There was no longer any serious questioning as to the desirability of large school districts. The serious question that remained related to the disagreement over whether the large school districts should be governed by school boards or whether they should be controlled by a provincially appointed Director of Education.

The Cameron Report (Cameron 1945) recommended the reorganization of the province into 74 large school districts. The report recommended further that the large school districts should be governed by school boards and not administered by a provincial official. Cameron said:

> In those parts of British Columbia which are wholly rural, the best-known larger unit is probably the Peace River Educational Administrative Area. The opinion is advanced with deference but conviction that its conspicuous success and that of its municipal twin, the Matsqui-Sumas-Abbotsford Area (in the Fraser Valley), are due more to their largeness than to the fact that they are not managed by school boards (p. 85).

Cameron went on to say:

> There are some obvious advantages in complete centralization of the whole school system in the hands of the provincial government. In the eyes of the Province, the child in Telegraph Creek was as much entitled to a good schooling as the child in Vancouver, and everything possible should be done to see that he [or she] got it. The great merit of centralization is the equality it can produce.
>
> Complete centralization is almost certain to result in some loss of local interest in schools. Experience has demonstrated that the most strenuous efforts to enlist local interest by means of local advisory boards are futile. Many citizens will not serve on a board which is merely advisory. They must be given the power to do something for their community. It would be a great tragedy if our school system were to lose the services and support of our school trustees, who for the most part have done an excellent job, often in spite of very irritating obstacles (pp. 36-7).

The Provincial Government accepted the recommendations of Cameron and in one fell, legislative swoop in 1946 consolidated the existing 649 school districts into 74 districts. The new school boards in these districts were to be elected boards with full fiscal autonomy. At the request of the district and with the approval of the Minister of Education, school boards could be constituted of three, five, seven, or nine members.

Over the next two decades devolution in school governance came into full flower in British Columbia. The power and influence of school boards grew. The BCSTA, which had been a rather weak and ineffectual body comprised of only some of the school boards in the province, developed into an articulate voice for lay control in education (London 1985).

It was also during the years following World War II that certain minority groups gained new rights. Since Confederation, Roman Catholics had periodically complained about having to pay property taxes even though they had chosen to send their children to parochial schools. In addition, they complained about having to pay taxes on parochial school property. Finally, in 1957, parochial school property was exempted from taxation (Johnson 1964). In 1947, Canadians of East Indian origin were given the right to vote in provincial and local elections and, in 1949, this right was extended to Canadians of Japanese and Chinese origin (Ashworth 1979).

The East Indian, Chinese, and Japanese had worked hard to get the franchise and to participate in the Canadian educational enterprise. Two other minority groups - the Native Indians and the Doukhobors - did not want their children swallowed up in the public school system. Instead, they wanted special status to protect and nurture their distinctive culture. In this demand for special consideration, both groups lost. From 1950 onwards, Native Indians began to be enrolled in the public schools of the province. The Doukhobors were a religious sect that had come from Russia and they had settled in the Kootenay region in the interior of the province. Up until the time of the Cameron inquiry, the Doukhobors had enjoyed a degree of special status. Special school districts for the Doukhobor settlements were known as Community School Districts. These were run by provincially appointed Official Trustees. The system had not worked very well, as the Doukhobors generally resisted sending their children to school because of their belief that the schools taught patriotism which would lead to militarism. This conflicted with the sect's pacifist beliefs. Cameron recommended the abolition of the Community School Districts for Doukhobors "in order to get them into the ordinary scheme of things" (Cameron 1945, p. 94). As a result, Doukhobor schools became part of the school system in the districts in which they were located.

The Trend Toward Recentralization (1968 to 1985)

The 1950s and the 1960s were periods of great expansion in the school system of British Columbia. School costs rose, however, at a faster rate than school enrolment. In the 10-year period from 1958 to 1968, for example, school enrolment increased at a compound rate of 5.9 per cent but school operating costs (excluding capital costs) increased at a compound rate of 11.8 per cent (Robinson 1971). To arrest rising education costs, the Provincial Government moved in 1968 to place controls on the fiscal autonomy of school boards. If a school district's budget exceeded 110 per cent of the approved basic education program, school districts had to seek approval for their budget overages through one of four ways: (1) obtain approval for the overage from the municipal council or councils within the school district; (2) pass a special by-law for the budget overage: if the by-law was unchallenged by less than five per cent of the district's voters, the by-law became law; (3) if challenged, submit the by-law to the voters: if passed by 60 per cent, the by-law became law; or (4) seek special approval from the Provincial Cabinet for the budget overage. These restrictions on school boards' fiscal autonomy were attacked by school trustees and educators, but the restrictions did prove to be effective in slowing the rate of expansion in school operating costs.

In 1972, the citizens of British Columbia elected a New Democratic Party government which was strongly committed to devolutionary principles. This government restored full fiscal autonomy to school boards, and, in addition, made a number of other changes affecting the governance of education. In 1973, the voting age in provincial and local elections was lowered to 19 years and the right to vote in local elections was extended to non-property owners.

It was during this time that the Native Indians in the province began to assume more control of the education of their children. Some bands established band schools governed by the band council. These schools were independent of both the church and the provincial school system. One band school that served as a model for the development of others is the school at Mount Currie in the Pemberton Valley, north of Whistler (Wyatt 1985). In 1975, in northern British Columbia in the Nass River country, the Nishga School District was created. This school district was a public school district like all other school districts in the province. The difference was that the population of this district was 95 per cent Native Indian. The school board that was elected was controlled by Native Indians.

In 1975, the Social Credit Party, which had governed British Columbia from 1952 to 1972, was returned to office. Moves toward greater centralization of the control of education began to take place. In addition, local school board elections in Metropolitan Vancouver and Metropolitan Victoria began to become increasingly hotly contested affairs, fought often over the issue of school board autonomy. In 1980, school trustee representation on community and regional councils was abolished and all college council members became provincial appointees. In 1981, the Minister of Municipal Affairs put forth his proposal for a county or all-purpose form of government in the Queen Charlotte Islands; this would have meant the abolition of the School Board there. In 1982, the Education (Interim) Finance Act was passed. This Act authorized the Cabinet to determine the limits of each school district's budget. The Act also removed from school boards the right to tax non-residential property. School trustees and educators all across the province launched massive attacks on this legislation, but to no avail. In the spring of 1985, the Vancouver School Board and the Cowichan School Board on Vancouver Island refused to pass budget by-laws complying with Provincial Government limits. When they failed to do so, the school boards in the two districts were abolished by Cabinet order and the boards were replaced with Official Trustees.

As a result of the Education (Interim) Finance Act, school boards have lost a large part of their taxing authority. They have also lost their right to determine their needed level of expenditure. This situation has been viewed with dismay by school trustees, and this dismay is illustrated by the following resolution passed by trustees at the 1984 annual convention of the BCSTA:

> That the BCSTA deplores the acts of the provincial government in arrogating to itself the controls traditionally exercised by elected trustees of this province (British Columbia School Trustees Association 1984).

CURRENT PROVISIONS FOR THE ELECTION OF SCHOOL TRUSTEES IN BRITISH COLUMBIA

Number of School Boards

There are currently 75 school districts. With the exception of the two districts governed by Official Trustees, each district is governed by a school board.

Number of Trustees

A school board may be comprised of three, five, seven, or nine trustees, as determined by the Minister. Currently, there are no three-person boards and the majority are either seven- or nine-person boards.

How does the Minister decide whether a board shall be a three-, five-, seven-, or nine-person board? According to unofficial information received from those interviewed, the Minister has always taken advice from the local community as to what size board it wants.

Appointed or Elected

When a new district is created, the Minister, by order, can determine whether the first board shall be elected or appointed.

Apportionment of Trustees within the School District

In school districts where the boundaries of the school district and the municipality are coterminous, the trustees are elected at large, e.g., Burnaby. In school districts which contain more than one municipality or a municipality along with a rural unincorporated area, the trustees are elected by region. The Minister decides the number of trustees that will be elected from each municipality or rural area in the school district, e.g., Coquitlam.

Term of Office

The term of office is two years running from December 1 to November 30.

Annual Elections

Except as noted below for Vancouver School District and for districts which hold biennial elections, one-half of the trustees is elected each year. Elections are held on the third Saturday in November.

Vancouver School District

The election of trustees is governed by the Vancouver Charter. The principal difference is that all nine trustees are elected every two years.

Biennial Elections

Where a municipality in a school district has provided for the biennial election of its mayor and aldermen, the school board for the district can (with the approval of the Minister) hold biennial elections of trustees in that muncipality or the whole school district.

Responsibility for Holding Elections

The responsibility for holding trustee elections rests with:

(a) the municipal council within a municipality; (b) the school board within a rural area or a totally rural school district;

(c) the school board within a municipality in which there is also a rural area in the school district and the trustees are elected at large throughout the school district.

Meeting of Electors to Elect a Trustee

If it is considered impractical to hold a ballot election in a scattered rural area, the Minister can authorize that a trustee election take place at an annual meeting of all eligible electors.

This method of election used to be quite common but has largely died out with improvements in transportation and communication. It takes place in about five school districts now.

Meeting of Representatives to Elect a Trustee

Where one trustee has to be elected to serve a number of scattered small settlements there is provision for meetings in each of these settlements to elect rural representatives. These representatives then meet to elect the trustee.

This method of election was also quite common at one time but is now found in only one school district.

Vacancies on the Board

When a trustee resigns or gives up office before the end of the term of office, a by-election is held for the balance of the term of office, unless:

(a) the municipality or school district is unable to hold a by-election, in which case the board appoints a new trustee, with the Minister's permission;

(b) the vacancy occurs after July 1 in the last year of the term of office. The seat may then be left vacant until the next election.

Nomination of Candidates

A candidate for election as trustee must be nominated by two electors whose names are on any local list of voters within the school district.

Qualifications of Candidates

A person who is on any municipal, regional district, or rural area's voting list in British Columbia is eligible to be nominated and elected as a trustee. As Nichols (1980) points out, this means that a resident of New Westminster could be a trustee in Vancouver provided that his or her two nominators were on a voter's list in Vancouver. This does occur. Persons serve on school boards in districts in which they do not live.

Nichols (1980) also points out that a person could be a trustee in both New Westminster and Vancouver. A person cannot, however, be a trustee from two voting regions within one school district. In other words, the person cannot hold two seats on one school board.

Holding Office

Every person who has been elected as a trustee must make a declaration that he or she is not in any way disqualified from holding office. The person must also take an oath of allegiance to the Queen and promise to carry out the provisions of the School Act.

Resignation and Dismissal

A trustee may resign at any time by giving written notice to the board.

The Minister may dismiss a trustee upon notice from the board that the trustee has missed board meetings for more than three months. The board must recommend that the trustee be dismissed.

Official Trustee

When a school board fails to abide by the provisions of the School Act, the Minister may dismiss the board and appoint an Official Trustee to serve in place of the board.

Disqualifications of Candidates

The disqualifications for serving as trustee are as follows. A person:

(a) may not be an employee of the board. This includes part-time employees and substitute teachers;

(b) cannot receive remuneration from the board of over $1000 in the current year. This means that, in nearly all cases, an employee cannot resign or retire and stand for election in the same year;

(c) cannot have any contract with the board;

(d) cannot be insane or bankrupt;

(e) cannot have been convicted of an indictable offense;

(f) ceases to be a trustee if he or she is no longer eligible to be on any municipal, regional district, or rural area's voter's list.

FORECAST OF REFORMS IN THE STRUCTURE OF THE GOVERNANCE OF EDUCATION IN BRITISH COLUMBIA

Sources of Information

To gain some reasoned opinion on what direction any changes in the governance of education in British Columbia might take, interviews were held with key elected and salaried officials of the BCSTA and the BCTF. Interviews were also held with a number of school board members and senior level district administrative staff. Finally, interviews were held with a selected number of scholars who have an interest in the politics of education in British Columbia. In addition to these interviews, a detailed analysis was done of the most recent government survey of education, entitled Let's Talk About Schools (British Columbia Ministry of Education 1985).

In exploring possible changes that might take place in the governance of education in British Columbia, attention was focused on the two key questions of representation and control. With respect to question of representation (e.g., How should trustees be elected? Who should vote?, etc.), all those interviewed felt that there was little controversy. With respect to questions of control (e.g., Should school boards be fiscally autonomous? What controls should be placed on boards' operations?), all those interviewed felt that there was enormous controversy.

Concerns and Forecast Changes with Respect to Questions of Representation

All the persons interviewed felt that the present method of electing trustees was generally satisfactory and unlikely to be changed. A number of questions of representation that were important at one time have either been resolved or put on hold. The question of the right of certain minority groups (e.g., Chinese, Japanese, East Indians) to vote in school board elections was resolved in the late 1940s. The question of the right of non-property owners to vote in school board elections was resolved in the early 1970s. The question of special status consideration for religious groups was resolved in 1976. Since that time, all qualified religious schools (and other independent schools) have received government grants. This has meant that these schools are free to function outside the public school system and still receive public money. The demands of Native Indians for their own schools has also been met. The number of schools run by band councils continues to grow. In some centres, public schools and band schools exist side by side. Some Indian parents will send their children to the public schools; other Indian parents will send their children to the band school.

Two issues concerning representation that appear to be on hold at the present time are: (1) the right of teachers to serve as trustees; and (2) the lengthening of the term of office for trustees. In British Columbia, teachers are only prohibited from serving on the school board in the school district in which they are employed. They can serve as trustees in other districts and many do so. Up until 1973, any motion presented at the annual meeting of the BCSTA that called for the prohibition of teachers from serving as trustees was passed. Since that time, motions put forth in 1975, 1981, and 1983 have all been defeated.

One issue that continues to be controversial concerns the issue of "ward" versus "at-large" elections in Vancouver. Currently, elections to the Vancouver City Council and the Vancouver School Board are at-large contests where the mayor, ten aldermen, and nine school trustees are elected every two years. Civic elections in Vancouver are partisan affairs (Neilsen and Robinson 1980-1981) and the two principal parties are the rightist Non-Partisan Association (NPA) and the leftist Committee of Progressive Electors (COPE). NPA supports at-large elections; COPE supports ward elections. A public plebiscite on the issue in 1978 favoured ward elections, but no change can be made in election procedures except by an amendment to the Vancouver Charter passed by the Provincial Legislature. The Provincial Government has chosen not to amend the charter. Why this has occurred is perhaps explained by the fact that the rightist Social Credit government is likely to be more responsive to the urging of the NPA than it is to the urging of COPE.

Concerns and Forecast Changes in the Control of Education

A great deal of the uncertainty about future trends in the governance of education in British Columbia is related to the question of which provincial political party will form the Government after the next election, which is expected in 1986. Polls indicate that the two principal parties, the Social Credit Party and the New Democratic Party, are relatively evenly balanced in terms of their voter support. If Social Credit is returned, the recent trend toward centralization is likely to continue. If the NDP is elected, a trend toward devolution is more likely, as its policies have emphasized devolutionary principles.

The most recent Government survey on public attitudes toward education (British Columbia Ministry of Education 1985) examined certain governance issues in education. Community forums were held, at which more than 25 000 people were present. In addition, the Gallup organization conducted a public opinion survey on selected educational issues. The survey results indicate quite clearly public preferences concerning governance issues in education. About three-quarters of all respondents felt that school board demands for greater autonomy should be met. Respondents generally felt that school boards have superior knowledge of local needs. On the other hand, the majority of respondents to the survey felt that current systems of school board accountability to the public are not satisfactory. They felt that the traditional forms of accountability (e.g., more public meetings, more consultation) need to be strengthened. They also favoured the institution of certain accountability measures more characteristic of American politics than of Canadian politics. There was strong support for the use of local referenda on educational issues. There was also strong support for the use of recall voting procedures, for the recall of both school board members and provincial politicians.

The public was not enthusiastic, however, about the granting of governing powers to councils at the school level. More than three-quarters of the respondents favoured the concept of school councils made up of parents and community members, but they felt these councils should only have advisory powers.

Most observers feel that the predominant factor in determining whether the forces of centralization or devolution are going to prevail in the governance of education in British Columbia is the party that will win the next provincial election. Will it be the pro-centralist Social Credit Party or will it be the pro-devolutionist New Democratic Party? This writer is of the opinion, however, that both parties are likely to move toward a position that will closely mirror public preferences as expressed in the most recent Government survey. What the public seems to say is that they want to see greater school board authority and less Provincial Government control. They would like to see, however, greater local control of school boards through the provision of direct voter action procedures. People want their school boards to have greater autonomy from the Provincial Government, but they want local voters to have greater control over the actions of the local boards. They want to be able to recall their board members. They also want to require their boards to seek voter approval on board initiatives.

These preferences may seem strange to people raised in the tradition of the British parliamentary system, because they sound so American. These direct-voting procedures do seem, however, to be in line with the desires of voters to keep a closer check on their politicians. In a very real sense, they want their school board members to serve more as their delegates and less as their trustees. To this writer, these preferences represent the shape of things to come.

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17. REPRESENTATION BY TRUSTEES: CANADIAN DEVELOPMENTS OVER 200 YEARS

INTRODUCTION

In this chapter we review the principles of representation discussed in part Two and relate these principles to the historical development of the trustee's role in Canada. We conclude with a brief discussion of various approaches to apportionment of representation drawn both from theoretical models and practical experiences in various jurisdictions.

Public Control of Education Through Citizen Participation

We approach apportionment issues from a democratic bias and assume that citizens, or some of them, have the right to participate in shaping school board policies. Our premise is that education is inherently political, in that it must reflect the needs and interests of parents and others in the community. Following from this basic premise, we believe that:

1. in sum, citizens are competent to make relatively intelligent choices about the general directions of their schools' government;
2. citizens must be able to reject the advice of professional educators; and
3. all advice from professional educators must be subject to democratically decided goals.

With these values in mind, we examine those aspects of democratic systems that permit the public to express its needs and interests.

School Boards: A North American Tradition

Although recent changes in the governance of education in Spain permit representatives of parents, teachers, and pupils to have some voice in overseeing publicly subsidized schools, school boards as we know them in North America are unique to this continent. This structure of government, local in nature and responsive to local political realities, has not only become more widespread over time, but boards have also changed in autonomy and complexity. Despite these changes, Ontario's present-day boards retain certain unique features of the three-person school boards of the early 19th century. Local interests and concerns are represented in education through an elected/appointed group whose sole function is to oversee schools in its community.

PRINCIPLES OF REPRESENTATION

Models of Democracy

Western governance is normally structured using one of three models: (1) participatory democracy, where citizens decide policy in meetings with their peers; (2) competitive democracy, where teams with different policies vie with each other to gain a mandate from the citizenry to govern; and (3) representative democracy, where one individual stands in the place of other citizens as their representative in the decision-making process. It is worth emphasizing that it is the link between one individual as representative and another as represented that distinguishes this third type of democratic governance from other forms. While all three forms can be found in Canadian school systems, representative democracy is by far the most common and the one upon which analyses in this study are based. As discussed earlier, while the representative requires leeway to exercise judgement free of instruction, it is incumbent upon that person to ponder cues that may be offered by electors, lobbyists, colleagues, and others. Discovery of those cues is an obligation of the representative, and interactions with the constituent must be such as to permit that discovery. The way in which a representative is chosen, i.e., the electoral system, is important for building that contact and for enabling an effective functioning of representative democracy.

Bases of Representation

Wealth, represented by land holdings, was initially used as the basis for determining who would be represented in the governing councils of the state. Landholding was the sole determinant until the English reform acts of 1832 introduced population as an additional basis for election to the House of Commons. Following the English model, Ontario adopted the two factors of population and geography, shortly thereafter, as the basis for election to public office. The subsequent development of representation as it applies to school board elections will be discussed after reviewing selected characteristics of the way in which populations find expression through the election of representatives.

Described earlier in this text were a number of arrangements by which populations incorporating diverse elements can be represented by certain elected or appointed citizens. Each of these systems is designed to ensure that a representative will "take account of the cues that may be offered" by citizens with a variety of "needs and interests".

Proportional representation, for instance, is designed to permit minorities and small groups to gain their fair and equal share of influence. The single transferable vote procedure to elect community school boards in New York is such a pattern. Interviews with a number of officials and members in that jurisdiction indicate, however, that the hopes for efficient and democratic governance have not been fully realized. Although the system was carefully designed, problems arise with the operation of slates of candidates, with candidates' needs for established group support, with gaps in communication between voters and officials, and with non-replicability of ballot-counting procedures. The considerable expense and complexity of this system, at variance with Ontario's traditions of voting, suggest that this system would be inappropriate here.

Functional representation is designed to permit groups formed around specific interests to be the basis for selection. In its "perfect" form, occupational or single-interest groups would each have a unit vote. The system that has been used in the City of Chicago is derivative of that approach. Chicago's Board of Education is appointed by the Mayor, with the advice and consent of the City Council. Citizens either nominate themselves or are put forward by interest groups for consideration by a selection committee. This committee examines each candidate's credentials to determine his or her suitability for office. This is where functional representation enters the picture. The "blue-ribbon" selection committee is comprised of representatives from a mix of civic interest groups with ethnic, business, labour, PTA, and professional constituencies. This system was established four decades ago to overcome problems of partisan political influence in education, but is now itself under scrutiny "since it shields board members from accountability to the public". Proposals to establish a single-member ward system, based on the principle of "one person, one vote", maintain that the ward system would more equitably provide representation of minority populations.

In jurisdictions where ethnic minorities are concentrated, their candidates may indeed win. Where such minorities are thinly distributed over many wards, however, the ethnic majority may have its preferences prevail, and minority views may not be represented. One model, fractional voting, might allow some redress for dispersed minorities in multicultural jurisdictions. Through fractional voting, the official casts votes weighed according to the size of the population that he or she represents in the community. The introduction of this approach in New York State in 1967 brought criticism because, in part, of the tendency of a few of the more populous districts to dominate decision making. Some representatives with only a third or a half of a vote thought that their key roles - such as work on legislative committees and service to constituents - was being devalued by a half or two-thirds. From this, we may anticipate that voting districts are more acceptable when they permit each representative to be equal to every other when it comes to voting (and committee-working and constituency-serving) in the decision-making process.

The "one person, one vote" principle emerged from the desire to create a fair voting system in which the vote of one person counts neither more nor less than that of another. Articulated in the United States as a symbol of their "aspiration for fairness" (Dixon - see chapter 2, Bibliography), this principle has been confirmed to apply to school systems as well as to other electoral situations. Redistricting in the City of Pittsburgh, for instance, was motivated by the "one person, one vote" principle - great care has been taken to ensure not only that each district would contain practically the same number of voters, but also that the wards so created would elect board members who were representative of the mixture of racial minorities in the population. Wards are structured to facilitate the election of representatives that could in fact, as well as in appearance, speak for elements of the population on a fair and equitable basis. This method requires frequent adjustments to ward boundaries as populations change in size, composition, or distribution.

Those who seek equitable representation reject at-large elections because this system permits sophisticated voters (namely the established upper-income and white) to predominate in decision forums. Single-member districts, or, as in Kansas City, representatives elected from a combination of single-member and at-large districts, have come to be more widely used. Kansas City officials note that the community as a whole benefits from the relationships that the single member can forge within a ward, while the board also has access to the broader perspectives of at-large members. The essential aspect of this dual system is that it is perceived to effect a fair and rational policy for the provision of representation.

Recent electoral-boundary changes in Canada have also been attempts to initiate such a fair and rational system. While Federal riding reapportionment has been aimed at equitable representation through the imposition of population-based apportionment formulas, other factors are combined with population to provide flexibility in voter numbers. One vital factor is the recognition of differences between compact, densely populated urban and sparsely populated rural areas. A bias towards overrepresentation of the less-populated rural ridings is in keeping with Canada's traditional appreciation of the greater travelling time involved in touching base with citizens who are dispersed over greater distances.

Not only is application of the "one person, one vote" principle altered in Canadian practice as a result of urban-rural differences but, in Ontario, voters have had districts arranged to recognize their communities' interests. In some districts and municipalities, boundaries traditionally have been drawn to recognize municipal boundaries, trends in population, and the ability to pay. At times such adjustments have appeared to impair the validity of equal representation to such a degree that the public has demanded correction. Thus, it is important to lay out criteria of effectiveness that will meet with the approval of the voting public when examining apportionment systems.

Criteria of Effectiveness for a System of Apportionment

Because rationales and criteria of effectiveness were set out in detail in part Two of this report, this section only summarizes and highlights these effectiveness criteria.

Methods of apportionment should be acceptable to the majority and must fairly express citizen wishes. Because populations are constantly undergoing changes in number, location, and ethnic characteristics, fair expressicns of interest require some adjustment of boundaries from time to time in order to maintain acceptable voting districts. Furthermore, necessary changes may be better accomplished through incremental adjustments rather than through occasional but major changes.

Ideally, apportionment ensures universal equal suffrage. Two elements of Ontario's present system appear to be consistent with the goal of fair representation, namely population and geography. Population-based apportionment establishes electoral districts with equal populations, thereby creating equal value for each vote. Geographic criteria, while giving different value to votes, do so by recognizing the greater difficulty in representation that is characteristic in sparsely populated regions. One other criterion, residential and farm assessment, while possibly politically justifiable, is inconsistent with fair and equal representation. This, in particular, contravenes the concept of equal shares because certain voters receive less opportunity to influence policy formation than do others. Representation that takes into account assessment, provides a greater value to the vote of the owner of more expensive property, i.e., the more wealthy elector. Inequality exists in representation when an electoral system allows some people to cast a vote with greater value while others receive a vote with less value (i.e., when more votes are needed to elect a representative).

The representation of minority opinion through the addition (frequently by appointment) of minority members to a board also bears examination. Representative democracy, as in present trustee elections in single-member wards, permits the election of only the majority candidate. It may be necessary to fashion a method whereby minority interests might find expression, even though such a method might compromise the "one person, one vote" principle.

THE DEVELOPMENT OF REPRESENTATION SYSTEMS IN CANADA

Determining, on the basis of principle, the means by which the public expresses its wishes in councils of government is preferable to ad hoc processes. However, principle alone may fail to take into account the collective experience of the society within which the system must function. Because electoral systems are expressions of a people's culture forged over time, it is unlikely that a society will readily accept changes unless that past is recognized in developing a new model. Thus it is important to consider how the electoral system, and particularly that relevant to the representation of the public through trustees, has developed in Canada and in Ontario.

As this section of the report summarizes both the extensive treatment of political principles and the descriptions and analyses of the individual provincial jurisdictions presented in the earlier parts of the report, we refer the reader to those chapters for supporting arguments and documentation.

The Early Period

The first delegation of responsibility for education to a local board of trustees was enacted by the Legislature of Nova Scotia in 1766. This Public School Act and the founding of the Royal Institution for the Advancement of Learning in Lower Canada in 1801, were the initial thrusts to establish State public school "systems" in British North America.

The Royal Institution was used primarily by English and Protestant scholars. Not until 1824, under the Fabrique Law, were parishes and autonomous local bodies given the power to establish Roman Catholic denominational schools in Lower Canada. In 1829, the Loi des Ecoles de Syndics permitted the establishment of schools governed by boards of five trustees (syndics) who were elected by, and from among, freeholders. Meanwhile, New Brunswick's 1802 Act for Aiding and Encouraging Parish Schools established as school overseers the boards of trustees, appointed by Justices of the Peace. In Upper Canada, exclusive schools were established after 1807 by boards of five or more trustees, appointed by the Lieutenant-Governor. Under the District Public School Act, these boards reported to the Lieutenant-Governor and were given power to appoint teachers, to set tuition fees, and to manage the operation of the schools.

Only in 1816 were common schools established in local school sections, each with three trustees empowered to set parental rate bills and to raise other local monies. Five-member district boards were also formed to direct local boards. Thus, in the first third of the 19th century the basic roots of local school governance were firmly planted; boards of trustees were either appointed by the Lieutenant-Governor or elected by, and from, citizens who were freeholders.

The Pre-Confederation Period

The next 30 years saw a consolidation of educational advances. New Brunswick enacted the Grammar School Act in 1846 and the Parish School Act in 1847. The former gave trustees the right to inspect schools, the latter established a provincial Board of Education. Similar trends toward central control of education occurred in Prince Edward Island in 1852, with the passage of the Free Education Act. Under this Act, most costs for education were borne by the central government.

Religious differences played a significant role in educational decision making in Newfoundland and Labrador. While governmental support for forming school districts had been established in 1836, centrally provided funds went unspent in three of the nine established districts, as a result of religious animosity. As a consequence, these nine districts were split into 18 units in 1843, thereby creating a dual system, Roman Catholic and non-Roman Catholic. Such division on the basis of religious affiliation was in keeping with trends evident in other jurisdictions and appeared for the moment to overcome the problem of religious differences within public systems.

This period was also significant for the development of control of schools in Lower Canada. A dual school system was confirmed by a law in 1846 that placed common schools under the control of a board of five school commissioners elected from local property owners. These boards owned, managed, and operated common schools which were confessional - either Roman Catholic or Protestant, in accord with the local population's predominant religious preference. Dissentient (Roman Catholic or Protestant) property owners, tenants, or ratepayers could withdraw from the common school to attend a school controlled by a board of three trustees with powers identical to those of commissioners. In Montreal and Quebec, two systems of common schools were established with boards of six commissioners, each appointed by the respective municipal councils. While clergy (who were neither owners, tenants, nor ratepayers) were granted permission to hold office in 1849, few other changes in the education law were instituted until after Confederation. Control of education, clearly established on a religious basis, was in the hands of local property owners or citizens who were either appointed or elected to carry out that policy-making function.

Change in education also came to Upper Canada in the form of the 1841 General School Act; it mandated a permanent school fund with an annual grant of £50 000 for common schools, the appointment of a superintendent of education, the option for minority groups to have separate schools, the appointment of high school trustees by the Lieutenant-Governor, and the election of township school commissioners to govern all elementary schools in a township. The old local school boards of three members were abolished in 1841, only to be resurrected in the 1843 Common School Act. This law defined the attendance area of a school as the school district to be governed by a school board of three members elected annually at a meeting of resident freeholders and householders. These districts became school sections in 1846, and trustees gained a three-year term. The first distinctions between urban and rural districts occurred in 1847 when all schools in an urban community were assigned to one board. The first shift of funding from parental rate bills to taxation occurred in 1859 when Superintendent Ryerson's thrust towards free schools was expressed in legislation.

A coincident thrust towards centralization permitted the consolidation of elementary and grammar schools under joint boards of trustees. The county was acknowledged as the basic unit of secondary education and would have a board of trustees ranging from six to eight members appointed by the Lieutenant-Governor. The Taché Act of 1855 permitted the election of a British subject, "freeholder, householder, or not", as a separate school trustee at a meeting of 10 or more separate school supporters. Separate school supporters were relieved of fiscal obligation to common schools if those supporters subscribed funds to separate schools in an amount equal to, or greater than, what they would otherwise be obliged to pay in taxes to the public schools. Separate schools were also permitted to share the legislative grant. The consolidation of separate schools continued with passage of the Scott Act in 1863. During this period, the concepts that the elected trustee had significant power of decision, and that a trustee needed to be a resident (freeholder, tenant, or not), a British subject, and a tax supporter of one school system or the other were developed.

In a democratic sense, Nova Scotia suffered a backward step in 1865 when Halifax was exempted from certain provisions of the Free Schools Act. Rather than continuing with the elected school boards required in rural areas, Halifax established a board appointed by the Lieutenant-Governor. In 1869, seven city altermen and six goverment appointees were named to the Halifax Board. This appointment model was later used in other urban areas in Nova Scotia. One outcome was that town councils controlled urban schools for the next 75 years, while rural areas were administered by trustees elected at annual meetings in each school section.

Thus, the period between 1833 and 1867 saw a development of the role of the trustee as a representative of those with a stake in the school. Although until then it had been necessary to be a freeholder or a householder to express that interest, property ownership was not required later. While an elector had to be a British subject, it was clear that members of minorities, whether Roman Catholic, Protestant, or Black, were recognized as having legitimate roles as electors and even as decision makers. While local trustees were frequently elected at school meetings, county school commissioners were often appointed by the central government, or by town councils. The forging of an Ontario school system continued over this period, employing the model of greater central control of education that was envisaged by Ryerson. The momentum towards centralization was interrupted only by demands for the election of local trustees to control the local school.

The Early Confederation Era

In the period between 1867 and 1900, education was based on provincial structures that were in place at Confederation. Quebec's Act of 1846 was confirmed in 1875 when the Council of Public Instruction was split into two committees - one of 44 appointed members, 22 Bishops, and 22 laypersons to govern Roman Catholic education, the other of 22 appointed Protestants to govern Protestant schools.

Ontario's Common and Grammar School Act of 1871 legislated the division between elementary and secondary schools and abolished fees and parent rate bills for the now compulsory elementary school system. The 1874 Act defined the requirements for trustees who wished to serve on an elementary school board. They were to be freeholders, householders, or tenants who had paid their school rates for the preceding 12 months. While both residents and non-residents could serve, employed inspectors or teachers could not. These trustees were elected at school meetings.

Religion played a significantly different role in the various regions of Canada. British Columbia entered Confederation with a single, centrally governed, non-sectarian school system. The religious fires that burned fiercely in Newfoundland and Labrador caused this jurisdiction to further divide its bifurcated educational funding among contending Protestant denominations that were able to construct a church in a community. By 1890, five groups, Roman Catholic, Anglican, Methodist, Salvation Army, and a group of Congregational, Kirk of Scotland, and Free Church of Scotland, each gave advice to the Governor concerning the appointment of members to their own school board. In 1954, the Pentecostal Assemblies and the Seventh Day Adventists joined the throng. For their part, Alberta and Saskatchewan each had established both public and separate schools prior to Confederation.

In Ontario, the desire to provide minority influence in decision making, which concerned the education of their children, was also a factor in providing separate school boards the opportunity to appoint representatives to high school boards. Ontario's Separate School Act of 1886 not only gave representation to separate school supporters but permitted them to share corporate assessment, first taxed for public schools in 1859, in proportion to stock held by Roman Catholic shareholders.

One other milestone of representation was set in place when, in 1896, women were permitted to act as trustees in New Brunswick.

This period was characterized by legislation that recognized religious differences and by a willingness to have minorities represented on bodies that made decisions concerning education. While, in 1896, Ontario law still required trustees to be British subjects, resident ratepayers or sons of farmers, and of the full age of 21, minorities and women were being recognized as appropriate electors and holders of the office of trustee.

Beginning the Twentieth Century

The first third of the 20th century saw more of the consolidation activity that was characteristic of the last third of the 19th century. Ontario's 1903 Board of Education Act established largely elected boards to govern both elementary and secondary schools in cities with populations over 100 000. One year later the requirement for 14-member boards (12 elected by public school ratepayers and two appointed by the separate school board) was extended to other cities, towns, and villages. Acts in Ontario called for appointed boards for continuation schools, for compulsory school attendance until the age of 16 years, for removal of fees for secondary school attendance, and for trustees to be British subjects, 21 years of age, public school ratepayers or the sons of farmers, and to be elected by ballot.

During the same period, Saskatchewan was merging districts and establishing coterminous school district-municipality boundaries. The religious divisions in schools of Newfoundland and Labrador were rejected by industrial/commercial pulp and paper interests whose influence in the development of Cornerbrook and Grand Falls resulted in the construction of amalgamated (common) schools in those two communities. Amalgamated schools did not obtain legal sanction until 1943. Amalgamation in Quebec brought 11 Protestant boards later to form the Protestant School Board of Greater Montreal (PSBGM) in 1951 and 40 Roman Catholic school commissions to form the Commission des écoles catholiques de Montréal (CECM). Because of the confessional nature of these two systems, members of the Jewish community of Montreal were excluded from membership on either of these bodies but were permitted to establish their own school system. They chose to enter into an agreement for education services with the PSBGM.

It appears that the early 20th century did not result in great changes in the mode of representation that had prevailed previously.

Post-War Developments

The 1940s opened with significant change. In the Province of Quebec, women were permitted to sit as commissioners. Legal recognition of the amalgamated schools of Newfoundland and Labrador signalled possible changes in the serious divisions that existed in that soon-to-become province. But by 1949, when provincial status was obtained, the divided school system was entrenched.

School district amalgamations were common across Canada. Even Nova Scotia saw attempts to amalgamate school districts in 1942. However, little came of these attempts. By 1956, such autonomy as existed in school sections was removed with the resulting demise of that administrative entity. Regional high school boards also proved ineffective as they had been devised using federations of the small rural and urban districts that existed. In 1951, Prince Edward Island merged its elementary districts under boards of seven trustees, six of whom were to be elected from single-member subdivisions. Prince Edward Island also created regional high school units in 1958. County boards composed of appointed trustees, four by county council and three by the Lieutenant-Governor-in-Council, were established in New Brunswick in 1943, but by 1962 all trustees were being elected. Meanwhile the Western provinces were also moving to larger units of administration with elected boards. British Columbia gave minorities, namely East Indians, Japanese, and Chinese, the right to vote, but insisted that Doukhobors maintain their schools within the public system. British Columbia's school boards gained and exercised full fiscal autonomy until the late 1960s, when restrictions were imposed.

The move to integrate boards for elementary and secondary purposes was also proceeding. In Ontario, boards of education to administer both elementary and secondary schools were being formed, with the number of trustees dependent on the size of the population of the district. Separate school boards appointed a number of trustees to these public boards to represent the interests of their supporters on secondary school issues. Eligible electors for public school boards now included spouses of ratepayers and resident sons or daughters of farmers. To vote for trustees, separate school electors were required to be resident in the municipality for urban school elections but could reside within three miles of a board's area for rural school elections. Extension of the right to vote and hold office was occurring across Canada. In Quebec, the 1960 grande carte de l'éducation permitted the parents of children under 18 years of age and the spouses of property owners to vote. While these inclusions did not give the right to representation to all stakeholders in the school system, those who had an interest in the provision of education slowly were being incorporated into the electoral fold.

Contemporary Canada

Although statistics are not available, conventional wisdom holds that the women's revolution has had an impact on the composition of boards; more women are commonly said to be serving as members and as board chairpersons in this period than in previous eras. This is perhaps the era's greatest change in representation.

In Quebec, this period could be said to have begun with the Parent Commission report in 1966, recommending the elimination of trustee elections and of all confessional school boards. The report saw parent-dominated committees elected by parents as the basis of each school's control, delegates of this group electing commissioners to a unified, neutral, and regional school jurisdiction. While attempts were made to legislate change, none was successful until 1971 when universal suffrage of all resident Canadians 18 years of age and over was instituted for elections of commissioners. The number of commissioners to be elected, representing the elementary school units, was determined by the number of children aged 5-12. The number of trustees for denominational dissentient boards stayed at three. School committees were established at each school to provide parental input. The presidents of each local school committee joined to form a board-level school committee. Representation for parents at the regional level was legislated in 1972, with the establishment of Regional Parent Committees and Central Parent Committees in each board. These were strengthened in 1979 wiih the addition of the direct voice of a single-parent commissioner on each elementary school board and two on each elementary-secondary school board. While a number of attempts to adjust representation have been initiated, none has survived the cauldron of Quebec politics and constitutional provisions. However, as a result of the experience of the past decade, 1985 brought Bill 29's provisions for confessional boards specifying rights to vote based on confessionality; Jewish citizens were thereby disenfranchised from school board elections in Quebec. An elector was required to be a resident, 18 years of age, and a Canadian citizen of the same religion as the board for which the trustee or commissioner was to be elected.

Consolidation of school boards continued into the late 1960s and 1970s in Eastern Canada. New Brunswick amalgamated 422 existing districts into 33 new units governed by boards. These boards included both elected (nine or six members) and appointed (seven or three members) trustees. Elections were held in the same way as for municipal councillors.

Prince Edward Island set up five regional administrative boards to cover the Island, each with 15 trustees, of whom five were appointed by the Minister and 10 elected in single-member zones. The five appointments originally were intended to ensure equal distribution by geography and population, but in 1975 all members were elected with five per cent to nine per cent of the total voters in each of the now-fixed zones.

Meanwhile, little reform in governance was accomplished in Nova Scotia. The Graham Commission proposed substantial changes but was unable to bring them about. Legislation was passed in 1978 to reinstitute partly elected school boards, but defeat brought a new government that retained only part of the reforms, including amalgamated units and tripartite boards. Trustees appointed by municipalities continue to carry more weight than elected or provincially appointed members, the consequence of municipal councils having control over school budgets.

Newfoundland also transformed its 300 boards to 35; of these 21 were integrated, 12 were Roman Catholic, one was Pentecostal, and one was Seventh Day Adventist. About one-third of board members is elected, with the other trustees appointed by the Church. All Roman Catholic trustees must be approved by the Church, but where many non-Roman Catholic children attend their schools, a parent representative may sit on the board. In nearby Nova Scotia, Roman Catholics on the public boards sit as a special panel to screen applicants for teaching positions in Roman Catholic schools.

In the West, British Columbia and Manitoba have unitary school systems. British Columbia moved towards a more responsible local school system in 1973 by broadening the franchise to 19 year olds and to non-property owners, and by reinstituting fiscal autonomy. However, from 1980 on, this liberalization has been set back by the removal of much board autonomy, particularly in relation to finance. Presently, 75 districts exist with anywhere from three to nine trustees apiece. Apportionment is decided by the Minister where a district contains more than one municipality.

Manitoba elects from five to 11 trustees in all but one of its 48 school districts and three special revenue districts. Although representation is determined on the basis of population, a board may deviate from strict adherence to population parameters where geography necessitates.

Saskatchewan operates through a two-level system, electing boards of education with five to 10 members, and boards of trustees with three to nine members. The former may be enlarged by the addition of two or three representatives of Native Indian communities. A minority of electors, either Protestant or Roman Catholic, may establish a separate school division to run its schools.

In Alberta, 165 elected public school boards and 70 Roman Catholic separate school boards function with between three and nine trustees, the number determined by the Minister. Representation is flexible with a variety of arrangements used to fit specific community needs. Here, too, it is apparent that there is a trend towards greater centralization of decision making.

The move to larger districts in Ontario in the 1950s was reflected in the Municipality of Metropolitan Toronto Act which founded a two-tier board structure for all schools in its five boroughs. In 1968, all rural school sections were amalgamated into township school areas. Legislation, which introduced assessment as the means of apportioning separate school trustees to public school boards in 1968, has been interpreted as a pragmatic attempt to provide more equitable representation for separate school supporters on these boards. The most significant move, however, came with the passage of Bill 44 in 1969 by which county boards of education were created across Ontario to govern all public education in each county. The total number of trustees on a board is related to the population of the county, with the proportion of trustees who were to be elected by separate school supporters determined by the proportion that separate-school equalized farm and residential assessment is of the total. Formulas that employed equalized farm and residential assessment were also used to apportion trustees among municipalities within the board. This model of apportionment was a clear break from the trend across Canada towards population-based models for the determination of representation by elected trustees on school boards. Its use was occasioned by the desire to provide rural residents with representation on large boards which included substantial communities or urban dwellers. In time, debate would spring from this arrangement, which came to be seen by some municipalities as "more than fair" for farm residents and unfair to those urban representatives with less power.

APPROACHES TO THE APPORTIONMENT OF REPRESENTATION

This concluding section of the report will briefly review a number of the options that are available for the apportionment of trustees. It is our view that whatever means are employed, they must be in accord with the basic principles of representation outlined earlier. They must derive from the antecedents of Canadian politics discussed in the foregoing sections. Above all, they must be practicable within the context of today's education system. This section outlines briefly the options that meet these criteria that are to be discussed in the next volume.

The basic premises of this study are that all persons should be equal before the law and that all persons should have equal opportunity to influence the development of that law. The idea that citizens are justified in expecting that their interests will be represented in decisions that affect them by persons of their choice is the same as that held by pioneers in North America that local trustees would govern their tiny one-room common schools. This concept has survived time, war, depression, rebellion, and the ebb and flow of educational policy to remain key in the administration of education on this continent.

Most jurisdictions have defined residency as a factor in defining whose interests should be represented and have decided that absentee landowners should not vote on educational matters decided at the local level. Whether a landowner should be taxed if no representation is provided is an issue, but historically residency has been required in many jurisdictions to obtain a vote and certainly to be elected as a trustee. There was little indication, prior to 1968 in Ontario, that the wealth (property value) of a citizen (or other owner) would play a role in according greater representation to one person than to another. The use of assessment to determine the amount of representation was clearly an anomaly, although voting rights have depended on owning, renting, or residing within property in a jurisdiction.

If degree of interest is important, one would expect the parent to have a greater say in decisions than other citizens, because a parent's concern for a child's education is significant. Plainly, however, the parent, as a parent, has not traditionally been afforded a substantial voice in the decision-making processes of public education. More recently, especially in Ontario, parents have gained a voice in school decisions but normally in an advisory rather than a decision-making capacity. Seldom have parents, as such, commanded a seat on a board of education or district school board, although on occasion they have nominated those who were to serve. Early legislation required a parent to be represented as a freeholder and, of late, citizens rather than parents have rights to representation. Because all citizens benefit from quality education or suffer from its lack, it is the citizen who is singled out as the holder of electoral rights.

But representation of one's interest implies that access to those who decide is important and that factors which interfere with access should at least be considered in the process of apportioning representation. Thus, it is understandable that geography should have played a significant role in apportionment, as has distance and sparcity of population. These three qualities have frequently seen expression in a greater number of representatives for a rural population than for a similarly sized urban population. Such bias has come to be accepted in Canada, although complaints arise when the bias becomes too obvious and a block of trustees representing a small number of citizens can thwart the will of representatives of the majority. On the other hand, bias of this nature has occasioned litigation in the U.S.A. where the supreme court has ruled in favour of strict adherence to the principle of "one person, one vote".

Much of the concern in U.S. litigation has centred on the fair representation of minority groups. While Canadians do not suffer the same problems as our southern neighbours, minorities do suffer in Canada from being "swamped" by the votes of the majority. This is particularly true with respect to certain religious groups and cultural groups, such as the population of aboriginal people. Particularly when interest groups press their case, the response that has developed more recently in our history has been to provide additional representation to certain small but culturally identifiable populations, permitting them to have effective representation. In this way, problems that could lead to alienation on the part of small minority communities have been avoided.

Similar adjustments to the principle of "one person, one vote" have occurred with respect to traditional boundaries, such as those related to municipalities, and to Federal or Provincial ridings. Traditional wisdom has tended to respect such boundaries where possible, but frequent changes occasioned by unprecedented growth in some areas have tended to dilute the concern with respect to those boundaries.

Representation, then has come to be based on the population of resident citizens, with adjustments which take into account, to a degree, the geography, density of population, and traditional boundaries.

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Volume

2

ALTERNATIVE APPROACHES TO DETERMINING DISTRIBUTION OF SCHOOL BOARD TRUSTEE REPRESENTATION

VOLUME II

Issues, Parameters and Simulations of Apportionment

EDWARD H. HUMPHREYS
STEPHEN B. LAWTON
RICHARD G. TOWNSEND

VICTORIA E. GRABB
DAINA M. WATSON

This research project was funded under contract by the Ministry of Education, Ontario.

It reflects the views of the authors and not necessarily those of the Ministry.

The Honourable Sean Conway, Minister
Bernard J. Shapiro, Deputy Minister

Ontario
Ministry
of
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EXECUTIVE SUMMARY

The purposes of the study were (1) to examine the basic philosophical issues related to the question of what or who school trustees should represent; and (2) to identify alternative methods for the allocation of representation and the data bases needed to apportion trustee positions on school boards in Ontario.

Volume 1 of the report, "Trustee Representation: Theory and Practice in Canada", includes an overview of the principles of representation, identifies principles most relevant to Ontario school boards, and details criteria for promoting effective school board elections. Further, practices regarding trustee representation in all ten provinces are described. The volume concludes with an analysis of the development of trustee representation in Canada over a period of 200 years.

Volume 2, "Issues, Parameters, and Simulations of Apportionment", first considers experiences with past apportionment in Ontario to uncover significant problems and to present recommendations. Then, alternative modes of apportioning trustees are described, along with the types of data and calculations required. The effects of these alternatives are assessed in a series of simulations on a sample of 33 school boards, and further recommendations are made.

Five groups of simulations were prepared, each group reflecting the application of one or more criteria. The first group of simulations relied upon different forms of equalized assessment; the second group employed several alternative population bases; the third employed a combination of assessment and population; the fourth employed population and area; and the fifth group used population and density.

Simulating the apportionment of trustees in the case of public boards of education involved two steps: (1) the distribution of trustees between public school and separate school electors (the latter for secondary school purposes), and (2) the distribution of trustees between cities and county municipalities. In the case of separate school boards, only the second step was necessary.

Conclusions and recommendations from the study were placed in four groups, and are as follows:

1. Forming electoral districts: The current method of forming electoral districts is flawed in a number of ways. The process is not timely, being completed too near to election dates for candidates to plan their campaigns adequately or to file and be heard on appeals of apportionments. Often, the clerks who do the apportionment lack sufficient knowledge of school communities to design electoral districts that conform to the political and social geography of school systems. To improve this situation, we recommend:

2.1 that reapportionment be carried out in the calendar year preceding an election year in order to permit adequate time for appeals and preparation for an election;

2.2 that reapportionment be the joint responsibility of the Director of Education of the given school system in the area and the clerk of the county, region, or largest municipality in the jurisdiction, who shall provide to the respective school board, for its consideration and decision, three alternatives for reapportionment of trustee representation, by December 31st of the calendar year preceding an election;

2.3 that guidelines be prepared by the Ministry of Education to assist directors and clerks in the task of reapportioning trustee positions, and that workshops to inform personnel on all aspects of apportionment objectives and procedures be held;

2.13 that the methodology used for choosing a trustee to represent Native Canadians continue to be decided by Bands in the school district.

2. Number of trustee positions: While not a focus for the study, the number of trustees representing different groups was an issue that did arise repeatedly. Particular problems seem to emerge when one group is given more representation at the cost of another group. As well, in at-large elections, generally only the most familiar names and best-established trustees are likely to win. Often, the number of candidates is exceedingly large, and newcomers to the campaign have an arduous task in taking their messages to thousands of voters. Although a stable political system is desirable, one incapable of at least moderate change is not. We recommend:

2.11 that where due to population imbalance, minority groups, i.e., Anglophones, Francophones, and Native Canadians, would lack an opportunity to have their interests effectively represented at board meetings, the "add on" principle be employed to ensure a minority-group voice in deliberations;

2.12 that a single representative be accorded to a minority group, i.e., Anglophones, Francophones, and Native Canadians, under recommendation 2.6, and that further representation be in keeping with allocations based on formulae normally used for apportionment;

2.5 that elections be held within electoral districts for which a maximum of two trustees may be elected.

3. Character of electoral districts: Often, it unfortunately seems that electoral maps are jigsaw puzzles whose pieces have been designed to foster confusion. A given separate school supporter may elect trustees to a separate school board in one county and trustees to a public board of education in another county. Noncontiguous municipalities may be included in one election district, and a single community may be split between two different districts. In some cases, problems may be unavoidable. However, convinced that reforms can reduce many of these aggravations, we recommend:

2.6 that electoral districts include contiguous municipalities, or parts thereof, in a manner that represents communities in the minds of electors;

2.14 that, in order to foster stability of representation and identification, boundaries of Boards of Education and Roman Catholic Separate School Boards be coterminous wherever possible;

2.9 that, in order to provide flexibility in the construction of electoral districts, variances of up to 10 per cent in the values of the criterion used for determining representation be permitted among districts within a jurisdiction;

2.10 that, where traditionally a community or municipality has been represented by a trustee, every attempt should be made to provide that unit with representation, either (a) through the allocation of a position, even where numbers fail to justify a full trustee, or (b) the creation of an electoral district identified with the community by the combining of areas centred on that community;

2.4 that, where possible, the concept of "community of interest" be fostered by defining compact, contiguous wards for which trustees are elected;

2.8 that, were the "communities of interest" are, for the most part, centred on school catchment areas, the electoral districts be structured to encompass those areas;

2.7 that it be acknowledged that the fashioning of electoral districts to recognize "communities of interest" may require the breaching of municipal boundaries.

4. Distribution of trustees: The present system of distributing trustees is based on the value of each municipality's equalized farm and residential assessment. This approach has a number of shortcomings, including the volatility of assessment and its lack of theoretical justification in a popular democracy where all persons are created equal. The only justification for maintaining this approach would be that no better choice existed. We believe that the simulations carried out using other variables - population, area, and density - illustrate that this is not the case. We recommend:

4.1 that equalized residential and farm assessment be discarded as the basis for apportioning trustee representation for school boards in the Province of Ontario;

4.2 that the determination of trustee representation be based on some measure of population;

4.3 that population data, appropriate to the basis established for the determination of trustee representation, be collected in such a manner and at such a time as to permit it to be used for the purposes of apportionment;

4.4 that the method adopted to apportion trustee representation take account of problems associated with relatively low density and/or representation of large numbers of municipalities.

The 18 recommendations in this report do not resolve all structural and process issues facing Ontario in the field of educational governance. In particular, the passage of Bill 30 (providing funding to Roman Catholic high schools) would result in a decrease in the number of trustees sitting on boards of education and Bill 75 (French governance) would see trustees added or redistributed. To illustrate these effects, a study (Volume 3) complementary to the present one has been prepared.

Volume 3 continues the consideration of equitable representation by examining a number of related issues. First, the effects of proposed legislation (Bill 30, which provides for the extension of funding for separate schools; and Bill 75, which provides for governance of minority-language instruction` on patterns of trustee representation are simulated and discussed. Second, the method for determining the total number of trustees to be elected to each school board is examined and an alternative method is proposed. Third, the basis for determining the number of trustees to be elected pursuant to Bill 75 is questioned and an alternative, based on population, is proposed. The effects of adopting proposed alternatives are also simulated and discussed. Finally, simulations are carried out to illustrate the interaction between the board-level proposals developed in this volume and the recommendations made in Volume 2 for apportionment of trustee positions within school board jurisdictions. A series of recommendations is made, including recommendations for an integrated method for determining the total number of trustees to be elected to a school board and for apportioning trustee positions within board jurisdictions.

At least two other issues concerning educational governance also deserve further discussion; namely, the size of school systems and the way in which school systems (especially very large ones) respond to the needs and demands of school communities. These issues are noted in order to emphasize that the report's recommendations are put forward only as modest suggestions for resolving a number of outstanding issues. We believe that they can be implemented independently of other, more complex social concerns that deserve further attention in their own right.

ACKNOWLEDGEMENTS

This is the second of two volumes which report the findings of a study on alternative approaches to the determination of the distribution of school board trustee representation in Ontario. The study was conducted under contract between the Ministry of Education (Ontario) and the Ontario Institute for Studies in Education. The study team wishes to thank the Ministry for its support and for the assistance of Ministry officials.

No study of this kind could be successfully completed without the assistance of the many trustees and officials in the schools boards and municipalities whom members of our team visited across Ontario. Their assistance was essential, their welcome was warm and the time they took from their busy schedules was appreciated.

At the same time, we express our gratitude to personnel in four cities in the United States. They offered lucid and thorough presentations on trustee determination in their communities. Those experiences provided understandings that permitted us to examine a number of theoretical models with greater discernment and to elicit the positive aspects of a variety of methods for attaining democratic governance.

We would like also to acknowledge the individuals whose efforts assisted in the achievement of our specific objectives. These five individuals: Michael O'Dowd of the Ministry of Revenue, George Manios and James Stork of the Ministry of Municipal Affairs, and Keith Fletcher and Robert Byers of the Ministry of Education, were most helpful in furnishing the data necessary for the simulations we carried out.

Finally, we would be remiss if we failed to express our gratitude to the members of the consultative committee with whom we met and discussed this project extensively. These members were Mr. Joseph Duffey of OSTC, Mrs. Ruth Thompson of ALSBO, Mr. David Hughes of NOSTA, Mrs. Karen Morrow of OPSTA, Mr. Jim Carpenter of OSSTA, Mr. Guy Matte of OTF, and Mr. John Boich of OAEAO. We are indebted to this committee with its representatives from the Ministry of Education, Mr. John Kenny, Mrs. Margaret Wolchak, and Mr. Lincoln Steele, whose advice we have found most helpful.

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Chapter One

Introduction to Volume 2

CHAPTER 1: INTRODUCTION TO VOLUME TWO

The design of electoral systems for representative legislatures, whether for nations, provinces, or school boards, is a task that engages philosophers, political scientists, politicians, and mathematicians. The first volume of this report dealt especially with the contributions of philosophers and political scientists; this volume is primarily concerned with the practical views of politicians and techniques developed by mathematicians.

"Representation" is one of the commonest terms in our political vocabulary - and also one of the most puzzling. When an electoral system for representatives is designed or reformed, a number of questions must be answered, including the following:

1) How large is the elected body to be?
2) Who votes in the elections?
3) How many votes does each elector have?
4) How frequently are elections held? and
5) On what bases, if any, is the public divided into electoral districts or divisions?

While this study touches on all of these aspects, it is primarily concerned with the last question. That is, we have taken the numbers of trustees on school boards in Ontario to be that determined by current legislation; we assume that public and separate school electors, living in cities or county municipalities, will continue to vote for public and separate school trustees, respectively; we assume that voters will have as many votes as there are positions to be filled in their electoral district; we assume that elections will continue to be held on a triennial basis. Also, we assume that the present number and kind of school systems will remain, a premise that will be relaxed in a complementary study.

This second volume of the report, then, is focused on the division of the electorate. At present, this division occurs along two dimensions: (1) geographic, and (2) class membership (i.e., public school elector, separate school elector, and Native Canadian). Legislation proposed in Ontario Bill 75 would add an additional class, that part of the electorate exercising rights under section 23 of the Canadian Charter of Rights and Freedoms, a group we shall refer to as Francophones.

Our primary interest is the geographic demarcation of constituencies, i.e., the assignment of voters to electoral districts from which one or more representatives are to be voted into office. We approach this matter in two ways. First, as reported in chapter 2, we completed a number of case studies in which trustees, educational administrators, and municipal officials were interviewed. We sought their views on the advantages and disadvantages of the present arrangements for distributing trustees. As the report makes clear, discussion was not limited to the single topic of geographic distribution of trustees, but included the issue of the representation of various classes of persons other than those with rights guaranteed by section 93 of the British North America Act, 1867. As well, the idea arose that residential communities form classes of people that deserve special consideration; it was suggested that the electorate within a given recognized class ought not to be considered as simply a collection of independent individuals.

These case studies provided two important results. First, 18 issues were identified about which we believed we were sufficiently informed to make 14 specific recommendations. For the most part, these recommendations are concerned with the process of forming electoral districts, the preferred number of positions to be filled in each district, and the character these districts ought to have.

Second, the case studies allowed us to clearly identify three variables which might reasonably be used in conjunction with - or instead of - equalized farm and residential assessment to distribute trustee positions, or parts of positions, among municipalities. These variables are (1) population by class of elector (public or separate), (2) area of municipality, and (3) density of population of a given class within a municipality. The last characteristic is a function of the first two.

The next stage of our study, then, was mathematical; data on the key variables were used to simulate the distribution of trustees to both public and separate school boards. In the case of public boards of education, simulation involved two steps: (1) the distribution of trustees among public school and separate school electors (the latter for secondary school purposes), and (2) the distribution of trustees among cities and county municipalities. In the case of separate school boards, only the second step was necessary.

As described in chapter 3, five groups of simulations were prepared, each group reflecting the application of one or more criteria. The first group of simulations relied upon different forms of equalized assessment; the second group employed several alternative population bases; the third employed a combination of assessment and population; the fourth employed population and area; and the fifth group used population and density.

The results of the simulations, reported in chapter 4, together with insights developed in the case studies and earlier phases of the project, led to four final recommendations; these are for changing Ontario's current methods for distributing trustees among municipalities when forming school boards in Ontario.

All recommendations, it should be noted, apply only to legislation currently in force. That is, we have not extended understandings of this study to the issues raised by Bill 30 (for funding of Roman Catholic high schools) or by Bill 75 (French governance). Nor have we commented on the number of trustees that sit on school boards, an issue raised by the effects of Bills 30 and 75; these enactments which would subtract or add trustees to the numbers currently determined by law. These issues are left to the aforementioned complementary report that is being carried out.

Other issues concerned with the responsiveness or effectiveness of our current mode of governing education are also omitted. That is, although we believe the recommendations made in this study will help to improve the quality of educational governance in Ontario, other aspects of this process also deserve study. Among these issues are the size of school systems and the arrangements made within school systems to ensure that educational programs reflect the diverse needs of different communities.

Chapter Two

Issues in Eighteen School Systems

CHAPTER 2: ISSUES IN EIGHTEEN SCHOOL SYSTEMS - APPLICATIONS OF PRESENT LEGISLATED APPORTIONMENT IN ONTARIO

INTRODUCTION

The theoretical concepts of democratic representation and apportionment have been discussed in Volume 1 of this report, along with historical and legal antecedents of present systems of representation employed across Canada. Such considerations are necessary to offer a sound basis in theory and a context upon which to build a logical system for the representation of various interests that exist in a complex society. It is equally important for those who must use the recommendations of this study, as for the researchers, to consider the realities of school governance. This section of the study deals with practical aspects of apportionment in various jurisdictions across Ontario.

This chapter consists of three parts. The first describes the sources of data and the process of data gathering. The second, organized by communities, includes a brief description of jurisdictions that have been visited, and the key apportionment issues that have been discovered in them. Many issues, it should be noted, were raised simultaneously in several communities. To avoid needless duplication, we shall discuss an issue in the setting where it appears to be most significant. Hence, some frequently raised issues will be by-passed in reports of certain areas, although these points actually were discussed in that area. Finally, the third section is a brief summary of the most significant concerns regarding apportionment and makes a number of recommendations applying to apportionment processes.

DESIGN OF THE STUDY OF PRESENT JURISDICTIONS

In designing the study, the researchers planned a series of visits to permit collection of data about the operation and perceived effectiveness of present procedures for apportionment. Selection of communities for the visits was based upon knowledge of areas where issues had arisen prior to, and during, the 1982 election, and also upon information about experiences in the subsequent three years. In short, jurisdictions were selected to obtain understandings of the issues involved. No attempt was made to develop a representative sample of the views of trustees, board or town officials, or even of the views of those in various regions or areas in Ontario. Selection, however, did include jurisdictions in which geography, language, religion, cultural minority representation, rivalry among municipalities, urban/rural difference, non-coterminous boundaries, and other concerns were perceived as significant. As well, jurisdictions with few problems, or with many that had been solved, were included. Even so, we can say that the areas visited, located in most of the regions of Ontario, were not selected on a regional basis. Situations both in public and separate school boards were explored, as were towns, cities, townships, and regional/district municipalities. In total, municipalities and boards in 18 school districts were visited.

Data for the examination of issues was collected largely through interview and documentary analysis. Interviews were conducted with trustees, school system officials, clerks of municipalities, and with private citizens who were knowledgeable about trustee electoral procedures. School district and municipal officials were each given a brief outline of the study when they were asked to participate. The number of interviews varied from district to district but was sufficient to yield comprehensive views of the issues involved. Documents and apportionment statistics were collected in many districts. While it is neither our intention to provide detailed commentaries on these documents nor to present an analysis of the statistical data we have obtained, it should be obvious that our grasp of the issues raised by our interview respondents has been greatly assisted by our consideration of these data.

To discuss apportionment in an unimpeded manner while also protecting the integrity of our commitment to the anonymity of those we interviewed, this report omits identification of specific jurisdictions and names of respondents. We trust that the substance of our analysis will be undiminished by anonymity and that the value of our recommendations will be assessed with greater dispassion.

ISSUE STUDIES

The Northern District

The public school system in the Northern District spans an area of productive farms and forests that is larger than many counties. Its expanse stretches across 87 miles in one direction and over 107 miles in the other. Three trustees, each in a single-member ward, cover the bulk of the rural organized and unorganized townships surrounding the several small towns in the district. Population is gathered in towns and villages along two major transportation routes running north-south and east-west. Beyond these spines of civilization lie miles of rock, water, and bush that are inhabited by trappers and loggers, and in the summer by affluent cottage owners.

The Board of Education: Great concern over apportionment procedures and their most recent results was voiced by most of those interviewed in the Northern District. Concern centred on the basis used for apportionment, the timing of when it occurs, and the effects from strict application of formulas without ample consideration of local conditions.

Apportionment based on assessment allows for representation from many townships that lack population during much of the year. This is seen to be unreasonable. Because the trustee represents people who reside within an area and the children who go to school, respondents question even the sense of having the number of trustees determined by an assessment mechanism, which in many cases has nothing to do with those who use the schools. This incongruity is intensified in periods of recession when some areas lose vitality and move into periods of depressed property values. The result is that those settlements lose trustee representation even though the population to be represented may be static or even on the increase. Few in the public, it appears, understand that representation is pegged to the value of property rather than to the number of residents or even ratepayers. This gives rise to the first issue.

> Issue 01: There is a perceived need to examine the basis of apportionment. Should the number of trustees be based on equalized farm and residential assessment, population of residents, students, or ratepayers, or on some other basis?

It should be noted that, under the present system, changes in proportions of assessment that occur with additions from unorganized townships cause significant changes in the numbers of trustees who represent certain areas. These additions have triggered a once-only realignment of electoral districts.

A second issue in the Northern District is related to the timing and scheduling of electoral changes. Apportionment was determined during the summer of 1985, boards were notified by mid-August of 1985, and the final model of apportionment was presented at the height of harvest and vacation time, for an election that was less than three months in the future. For some individuals, this proved an altogether inadequate amount of time, during a period of infrequently held board meetings, to consider proposals and to appeal decisions. Enumeration in unorganized townships also created difficulties, as lists were out of date, having been sent to clerks in the previous spring. And once "wards" for a trustee were established, an inadequate portion of time was available for candidates to become familiar with their territories and voters.

> Issue 02: How long before an expected election should apportionment occur?

The major problems in this district arose from the application of a formula that was regarded as inappropriate for the Northern District and which was applied by persons who were largely unfamiliar with school boards and their functioning. Present legislation requires the clerks of the largest municipalities to consider reapportionment and to furnish models to the boards for their consideration. The boards may then suggest amendments to the clerks' proposals. This process is thought to function effectively only when the clerks apply formulas with sensitivity to the realities that trustees must face, when they understand the school boards' task, role, and jurisdiction, and when these clerks propose models in sufficient time to permit trustees to respond appropriately. None of these conditions existed in the Northern District. A new clerk in the largest municipality applied present legislation linking together communities with little common interest, with difficult communication links, and with community leaders who were unknown in other areas several miles away. One electoral district even combined people in communities that were 70 miles apart, thereby requiring constituents to pay long-distance telephone charges to reach their trustees. As well, the simple adding together of assessments from dispersed communities by clerks (who, according at least to hearsay, may have had vested community interests) resulted in an electoral map that was, to be kind, difficult to work with. Those interviewed believe that a more reasonable and acceptable process could have been carried out had school system personnel been more intimately involved in reapportionment.

> Issue 03: Who should be responsible for the reapportionment process - the board, the school system officials, the county council, the clerks of municipalities, or a combination of these?

The Roman Catholic Separate School Board: The district administered by the Separate School Board is not coterminous with the Board of Education and this dysfunction has spawned a number of problems in apportionment. For example, initial proposals failed to take account of different Public and Separate School Board boundaries. Trustees who represent Separate School supporters in the same municipality sit on different boards located miles apart, thereby causing confusion to the public. It seems to those we interviewed to be more logical to have coterminous boards.

The idiosyncratic joining together of several townships to form electoral districts is seen as leading to confusion, especially when changes occur from election to election. Some areas flip back and forth, being attached first to one area and then to another. Areas that are not in any way contiguous are joined together, causing further confusion. Respondents suggested that every effort should be made to establish procedures that would promote stability in representation and identification of a community with one electoral district.

> Issue 04: Should identification with communities be promoted by establishing boundaries for Boards of Education and Separate School Boards that are coterminous, and by estabishing electoral districts that are stable over long periods of time?

Northern City

This jurisdiction consists of a relatively compact and centrally populated area with a sprawling hinterland of unorganized townships spreading out along a single highway corridor. The major population centre is composed of a number of communities that were amalgamated a number of years ago. A degree of animosity still exists among the units that were amalgamated to form Northern City.

While city officials saw little problem in the present basing of apportionment on equalized farm and residential assessment, they were concerned if wards were to be used and particularly if ward boundaries were to differ from those of the city. Possibly stemming from a certain parochialism, differences exist between the various city wards, the boundaries for which are based on historical municipal boundaries. But these divergencies seldom surface at board meetings. While some concern was raised by trustees interviewed about the largest "community" swamping less populated areas, most indicated backing for a population-based apportionment formula. Clearly, however, these respondents supported a more locally controlled system that would be based on population or on the number of ratepayers, i.e., "families who support a particular school system".

The Board of Education: Differences based on community are present but not held to be especially serious in their consequences. Such variations as do exist are exacerbated by multiple-member representation from the ward with the largest assessment (and population). For instance, in the most recent election, four members who live in one small area of this multiple-member ward, were elected, thereby provoking resentment over "single issue" candidates and voting based on community interests that are seen as quite parochial. Some respondents from the largest ward spoke of the need for at-large elections to overcome this parochialism from small wards. Those from small wards, on the other hand, indicated their fear that the most populous ward would capture all seats to the detriment of smaller areas. From this, it appeared that a ward system designed to avoid (1) municipal boundaries; (2) overrepresentation of communities of interest based on socio-economic factors; and (3) gross population variation among wards, would work and be acceptable to most participants. Neither geography nor assessment was seen to be a more appropriate base for apportionment than population.

> Issue 05: Would equitable representation of the public be better served by the development of a ward system of electoral districts that would ensure that votes have equal value; if so, how should ward boundaries be constructed to address municipal boundaries as well as the concept of a community of interest among electors?

A second issue could arise concerning representation of the substantial Francophone population; however, this matter seems to have been resolved in this jurisdiction through a mutually supportive atmosphere and through the establishment of a Francophone school with a plan to transfer it to the Separate School Board. It does appear that the interaction between present Separate School representation and the "add on" principle proposed in Bill 75 may result in overrepresentation of Francophones on the Board of Education. Proposed legislation could produce a board with 19 members, possibly with up to 12 Francophones. Concern was expressed regarding such implications of these various Bills and their interrelationships.

> Issue 06: Because the interaction of various legislative Bills may lead to numbers of trustees that are unrepresentative of various populations, should the number of trustees who represent a particular group (Public, Separate, Anglo-

phone, or Francophone) be in the same proportion as the group's population is in the total population?

Related to this was an expressed concern for English Roman Catholic representation on the public board when Francophones predominate in the community. This problem is the converse of that found in most Ontario communities where Anglophones predominate. As in those communities, it would seem fitting to apply methods here that would reflect the minority, i.e., adding members to form a viable representation.

> Issue 07: Because the provision of representation on a proportional basis may produce numbers of trustees that fail to represent small minority populations, should the number of trustees in a board be increased to ensure representation of specific small minorities (Public, Separate, Native, Anglophone, or Francophone)?

The Roman Catholic Separate School Board: Those interviewed from the Separate School Board reflected many of the same concerns that interviewed public school supporters felt. It was clear, moreover, that some conflict existed between the Anglophone and Francophone trustees over the relative priority placed on the language as opposed to the religion of the board. As elsewhere, Francophones saw the French language as more important for school and board sessions, while Anglophones expressed support for the catholicity of the Board. A determination of language competency to assess the eligibility of school board candidates would need to be employed if the Francophone preference prevailed. Some of those interviewed suggested that, to maintain accountability of the Board, electors should be able to vote for all trustees, whether French or English speaking, while others proposed that each elector should declare for which panel of trustees she or he would vote. While these suggestions have an appeal, we are of the view that constitutional guarantees to separate school supporters will not permit the formation of linguistically determined rather than religiously determined boards. It is also our view that voting for all trustees would enable the majority to have total control of elected representatives, thereby rendering minority voices impotent. We have therefore declined to support this viewpoint. Nevertheless, concern was manifested over how one would determine for which set of trustees an elector would vote.

> Issue 08: How and when should the set of trustees (Public, Separate, Anglophone, or Francophone), for which an elector votes, be determined, so that electoral lists and other requirements can be prepared prior to an election?

Holiday Land

Situated in the centre of a vast area of lakes and woods, one major tourist centre acts as the focus for education in the district. A number of municipalities boast substantial wealth based on large assessments derived from summer cottages. Populations in such areas are low and in some of the areas very few students attend school, as few ratepayers reside full time on the islands and lakeshores of the area. No Separate School populations exist in some municipalities, and those supporters who attend Separate Schools travel by bus to school systems to either the north or south.

The Board of Education: This area has found assistance with its apportionment problems in the so-called "Muskoka Amendment" which permits an area to apportion its trustees on a population basis under certain circumstances. Without this population-based formula to assist, one township and the surrounding unorganized area, very rich in assessment, would have more trustees than the region's largest populated community. However, this does not diminish all of the residents' concerns. The linking of municipalities permits the manipulation of apportionment based on population no less than it does if based on assessment. While most of those interviewed indicated that assessment would be an inappropriate base for apportionment, and that population would be a better basis, those respondents stressed that a community of interest was essential to successful and acceptable electoral units. The fusing of all or parts of municipalities has been idiosyncratic and unstable, on occasion based on the interests of elite groups. It was noted that division of the whole district into wards, thus distributing power more widely, would be preferable to present methods. Those interviewed would appreciate better wards that were centred on communities, a concept that was also apparent in the Northern District.

> Issue 09: Is it possible to centre wards or groupings of municipalities about communities where electors have, or could develop, stable communities of interest?

The Holiday Land Board encompasses a number of reservations with full-time Native Canadian residents, furnishing education for students from these reservations. One member appointed by the Band Council sits on the Board and represents the interests and views of the Native population. While the number of residents is inadequate to justify one representative when a proportion-of-population formula is used, those interviewed considered the appointment of a full member of the Board to be appropriate in order to provide representation of Native interests in decisions that affect that group. They thought that such representation was very helpful to the success of their school system in meeting the needs of Native students.

> Issue 10: How can the interests of Native Canadians be represented when decisions concerning the education of Native children are taken?

Central County

A major industrial city forms the hub of a farming area, which is one of the richest in Ontario. A major Indian reservation is located in the same county, sending part of its student population to this and part to another jurisdiction. For the most part, there are few concerns among the trustees who represent the public in Central County, although the last election did see one trustee position shift from the Public to the Separate School portion of the Board of Education.

The Board of Education: Trustees in Central County have encountered few significant problems in recent elections. One trustee was lost by the Public to the Separate contingent on the Board because of a shift in assessment; that loss only seemed to compound an anticipated enrolment loss caused by the imminent extension of funding for Roman Catholic separate secondary schools. However, because of the natural attrition of incumbent trustees, little concern was stated.

Several of those interviewed expressed concern as to whether all parts of the City are adequately represented, the "problem" being that many City trustees are from one residential area. It was noted that a ward system would lead to a better mix of trustees, although not all trustees felt the need for such a system. At present, there is little representation from lower income areas, the unemployed, or single-parent homes on the Board. The length of incumbency (15 to 20 years) of many of the present representatives may be related to the fact that it is difficult to displace incumbents through at-large elections.

Representation on the Board is presently biased towards rural areas, but not to a substantial degree. A population-based formula would reduce rural representation from 38 per cent to 25 per cent of the Board. Land-value reductions, presently occurring in the area, will probably affect rural representation in that direction before the next election.

Representation from the Indian Reservation presently stands at one trustee. A population-based formula would not increase that and only a guaranteed representative would retain the one trustee to represent the large Native Canadian population. The trustee is presently appointed by the Band Council.

The time that is available to organize the election has been affected by the late receipt of equalization factors. Earlier dissemination of this information would assist in the determination of trustee numbers. It was suggested that the calculations would be best carried out by school system personnel, rather than by the clerks of municipalities.

The Separate School Board: The number of trustees and their distribution on the Separate School Board has not changed for some time and few problems have been encountered. No Francophone population lives in the area, thus there are no Francophone trustees. Neither are any other minority groups represented on the Board. At present, even the large (20 per cent) Italian population is unrepresented in the membership of the Board. There was no expressed interest in having such representation.

Eastern Francophone Community

One of the few areas in Ontario that has a majority of Francophones, this area is composed of mainly rural communities with secondary schools located in the small towns and villages that form the only concentrated population areas. Each school acts as the central focus of a community composed of the town with its hinterland of farms. A major transportation route traverses the area from west to east thereby providing good communication with all parts of the country.

The Board of Education: Reapportionment of electoral districts in a jurisdiction such as this creates problems in devising meaningful areas within which a candidate may run for election as a trustee. One proposed solution would have districts centred on secondary school catchment areas, as the secondary school tends to be located at the focus of a rural community. Such a system would require determination of catchment areas, with boundaries that vary from those of the municipalities and that were developed for educational rather than electoral reasons. Furthermore, the stability of areas would be low, as adjustments in education programs would bring about changes in school catchment areas.

> Issue 11: Would school catchment areas be appropriate as electoral districts with either one or two trustees being elected from each?

Both stability of boundaries and the flexibility of boundaries would be improved if the variance that is permitted in established districts was widened somewhat. It may be advantageous to permit greater variances among electoral districts. Those interviewed noted that present boundaries were constructed on the basis of equalized residential and farm (market value) assessment, which some view as neither equalized nor based on market values. They believed that population would be a more logical and reasonable base.

Because the community has a majority of French, Roman Catholic residents, the Public Board has a majority of Francophones who are responsible for secondary schools. Thus, the Board provides a guaranteed, but not a proportional, representation to Anglophone (combined public and separate) ratepayers. The tabling of Bill 30 has created a degree of confusion and concern regarding representation. Francophones appear to favour a linguistically determined Board while wishing to find, by whatever means are available, an equitable solution to ensure a good and sound education for English-speaking students. With a French-language Board, all French-speaking components (Roman Catholic being 72 per cent and non-Roman Catholic being four per cent in the County) would be represented by trustees elected by Francophones; two management committees would thus be established, one for Roman Catholic and one for non-Roman Catholic Francophones. It was suggested that Anglophones develop a suitable mode of self-governance.

The Separate School Board: The Board carries out all its business in French in keeping with the linguistic composition of the community. The Board is composed of 12 trustees, all of whom are Francophone, as there is no reserved "English" seat, even though over 200 English-language students attend the Roman Catholic schools in the area. It should be noted, however, that no pressure exists to establish an English Language Advisory Committee (ELAC) for the area.

The most recent apportionment resulted in some areas being joined together by the county clerk, areas that were non-contiguous, a condition that was not accepted by the trustees. The resulting appeal returned the division of the area to a more acceptable electoral situation for the appealing trustees, but two others were then placed in some electoral difficulty. Insufficient time was then available, however, for other trustees to make further appeal. This points out the difficulties, apparently widespread, of an apportionment timetable, which, while providing up-to-date boundaries, creates difficulties in the appeal process.

Part of the original problem apparently arose, as has been noted about other areas, through a lack of familiarity, on the part of the clerk, with the electoral implications of boundary changes on school board elections. As has been suggested earlier, it would appear to be more effective to have determinations made by those who are intimately aware of school system issues, i.e., the Director and trustees, in consultation with county officials.

Rural-Urban Growth Community

Composed of a major city and its surrounding developing suburbs, this metropolitan area is growing rapidly as the population moves from older established urban and rural communities into new towns located on formerly productive farmland. In one of the few rapidly growing areas in Ontario, the school system suffers from variations from area to area that see some schools being closed while others are left overcrowded. It is a mixed ethnic community that encompasses areas that are predominantly Anglophone or Francophone, with other multicultural areas. Not only is the area mixed ethnically, there is wide variation in the socio-economic composition of its communities.

The Board of Education: In rural areas, there is a degree of suspicion of the urban dweller which would be exacerbated by apportionment aimed at reducing the influence of rural members on the Board. Thus, it is a great advantage to have a rural township guaranteed a seat when the number of municipalities permits. To remove a rural trustee as urban assessment or population grows is to create a feeling of estrangement from the "big board". The guarantee of a rural seat, even if it means adding to the total size of the Board, helps to retain Board stability, even if representation becomes less proportional. This also prevents a single municipality from dominating Board decisions.

Issue 12: Is it possible to provide for the retention of a traditional representative in a municipal ward even where proportionality would indicate that the area would not warrant a representative?

This ward system, which is based on rural municipal wards, also may foster a feeling of community as an individual - who is viewed as "our" trustee - becomes closely identified with the particular area. This is the way in which trustees are seen by rural residents, and such feelings are fostered by representation from clearly identified communities. The addition of a seat, as noted above, or where a clearly defined area would be subdivided if single-person wards were to be used, or the combining of territory into a joint two-person ward, just might prove advantageous. Having trustees run at-large is incongruous where large populations are involved, where confusion is likely to result from numerous candidates, or where municipal elections employ ward systems for election of councillors. Finally, the maintenance of the feeling of community should be fostered in any electoral redrawing of boundaries.

As has been noted in other jurisdictions, the time allowed to respond to proposals has tended to be too short to permit adequate response. This appears to be partly because the time to react between receipt of necessary data and the election is short, and partly because of the low import given by clerks to the redrawing of trustee electoral districts. The complexity of the system also contributes to the problem. It may be helpful to simplify the system and to place it more directly in the hands of those who are most directly affected by electoral boundary decisions; that is, the local school systems. An earlier recommendation held that the Director should carry out reapportionment. Here we suggest that the local jurisdiction be responsible to determine the districting system and to ensure its compliance with a set of broad principles enunciated by the Minister from time to time, principles that guarantee appropriate representation of the interests of the population.

Issue 13: As the redrawing of boundaries that recognize local sensitivities and communities is best carried out by local authorities, is it possible to establish broad provincial guidelines within which local committees could carry out reapportionment?

The Separate School Board: The concerns expressed by this Board are largely those expressed by the trustees of the Board of Education. These revolve around the lack of accountability that results from at-large elections, particularly when trustees are not easily identified with an area, and the difficulties associated with the late decisions on electoral districts.

The number of French and English trustees is comparable and each group functions as an independent group when considering issues related to their respective school systems. Each "system" considers certain policies as important to its schools, thus policies are such as to permit variation between systems. Such live-and-let-live policies appear essential for harmonious functioning within a bilingual school system.

Central City

Central City is a major city in the centre of some of Ontario's richest farmland. As a designated city, it has public schools that are managed by a city board which caters to its predominantly Anglo-Saxon community. The prosperity of the area has sustained steady but unspectacular growth over a long period. This growth has helped offset the general decline in enrolments apparent elsewhere across Ontario.

The Board of Education: Until recently, trustee candidates for the Public Board ran at-large across the city. In 1980 the electoral system was changed to a ward system with two trustees being elected in each of the wards. The new system was introduced because name recognition rather than effective representation appeared to be the major determinant of success in elections. It was also clear that certain parts of the city frequently went unrepresented as elected trustees tended to come from upper-income areas in the city. No sense of local identity was evident among elected trustees, resulting in a lack of accountability. Ward elections in this board have solved many of these problems. The ward boundaries and their trustees have remained stable over the last three elections, and identification with the local trustee has grown in that period. Even so, because parochial voting patterns have been evident on occasion, an issue that is still discussed is whether or not jurisdictions should be organized into wards.

> Issue 14: Should trustees be elected from wards, each electing one or two trustees, rather than at-large with numerous trustees being elected from across the whole jurisdiction?

Central City has few Francophones, few Native Canadians, and a modest number of Roman Catholic Separate School supporters in comparison with the total population. The representation that is accorded these groups is a major issue when the number of trustees is being discussed. There was little doubt that those interviewed considered it appropriate that minority groups, particularly those whose interests might be overlooked by a predominant majority, should be accorded representation on the Board. There was less clarity on how large their representation should be, except that it seemed fair to have a single representative for Native Canadians in view of their small numbers. Larger proportions of the total population, approaching those represented by ordinary trustees, (one trustee to 25 000 people), would be needed to justify more trustees. This same thinking is apparent regarding the representation of resident Francophones. It did not seem reasonable to have three trustees to represent the interests of Francophones, when only 500 Francophones live in the community. Although it is recognized that the issues are significantly different, a number of trustees comparable to that for Native Canadians is seen to be more equitable when population numbers are taken into account. This suggests another issue.

> Issue 15: If a minimum number of trustee positions is reserved to represent minority groups, for which groups, how many representatives, and under what conditions should trustee positions be provided?

The Separate School Board: This board operates schools for Roman Catholic students in Central City and in the surrounding rural areas. As a result, the Board represents the population in a large number of municipalities with widely differing population characteristics, needs, and desires. This complexity presents the greatest challenge in apportioning trustee positions in Central City.

To establish electoral districts with equal assessments, within the five per cent variance that is permitted, while at the same time adhering to municipal boundaries, proved to be almost impossible if contiguous geographical areas were to be formed. In this redistricting, compact areas located around schools, either as a focus or in accordance with parish boundaries, could be employed to provide trustees with a community that they could "represent". When municipal boundaries parallel electoral boundaries, elections are easier to organize, but other considerations are also critical in apportionment.

> Issue 16: In forming an electoral district, is it more important for trustees to be elected from an electoral district that is "compact" and related geographically to a school, than it is to retain municipal boundaries through the addition of whole municipal units?

It is necessary to keep in mind, when establishing electoral districts, that, while there are clear advantages to having a local person plan the reapportionment, it is also vital for that person to be aware of the trustee's function. In the latest reapportionment in this area, trustees had several opportunities to discuss boundaries with the clerk who established the districts. This resulted in more appropriate districts which were centred on school catchment areas which included populations that trustees represent. Those interviewed believed that this process worked reasonably well because they were able to influence decisions and have school communities as a focus.

> Issue 17: Is it more important for electoral districts to be established by persons who are at arm's length, or is an understanding of the trustee's function a more critical determinant of who should determine electoral districts?

Western Farming County

Situated adjacent to Central City, this county is composed of a number of prosperous agricultural communities with many urban-oriented residents. The result is that trustees feel a constant pressure to provide high-quality high schools. Apportionment based on equalized assessment has worked well for this particular county, as growth in assessment has been roughly equivalent in the various municipalities. Little change has been necessary over the years.

The last reapportionment could have produced some changes but discussions with local councils, the County Council, and Board resulted in a decision not to make any changes. It appears that the involvement of local politicians produced an acceptable result that no one was interested in changing. It would seem that local control of the process may have advantages, as long as the imbalances in representation are not too great.

> Issue 18: Should electoral districts be established by local bodies and, if so, should they function without reference to legislated requirements, or should they determine electoral districts within strict overriding principles?

Rural County

This final example of the practical aspects of reapportionment also is a rural setting, but without a nearby city. Being somewhat separate from a major urban community, the area is a little less prosperous but nonetheless still well-to-do. Single trustees represent either one or two municipalities. County electoral districts vary in the proportion of equalized assessment that each contains, from a low of 7.2 per cent per trustee to 13.7 per cent per trustee. This represents almost a 100 per cent difference. On the basis of assessment, the value of a vote in the one municipality is just half that in the other. These are all county municipalities and there seems to be little concern over the magnitudes that are represented in these differences.

> Issue 18: If electoral districts are to be established by local bodies within strict overriding principles, what are appropriate ranges within which they should work?

Differences exist between the county municipality and the cities, however. A number of those interviewed pointed to the disparity that exists between the relative populations in city and county, on the one hand, and the relative amount of tax payed by each, on the other. With population roughly equal to the county, the city pays about two-thirds of the costs of education, a situation that is seen to be unfair when members of a political democracy are presumed to be equal and yet representation is biased heavily (ratio of 4:10) toward the county municipalities, on the grounds that the wishes of the majority should prevail. Population is seen by these trustees as a more appropriate base for apportionment.

Issue 19: Should electoral districts be established for representation on a basis that is seen to be equitable in terms of population, amount of tax payed, or on another similar basis?

SUMMARY AND RECOMMENDATIONS

Chapter 2 has presented a number of issues that members of the study team have distilled from the visits to 18 districts across Ontario. The data have been presented in an anecdotal form because we believe that this chapter tells the story of apportionment in the way that those people interviewed see it. This story influenced our consideration of the literature and of our findings from other provinces. Our conclusions are based on the information we have obtained from those officials and trustees who have lived with recent reapportionments. The conclusions that follow grew out of our readings and developed from the reported experiences in these 18 jurisdictions. Conclusions that arise from the simulations described in chapter 3 are reported in chapter 4.

The recommendations are addressed in five related parts as follows. The first speaks to the basis of apportionment. The second, after looking at the way the process functions, questions when, by whom, and how apportionment should be done. The third part ponders the electoral system that should apply, while the fourth examines equitability in representation. Finally, boundary issues are examined. While this section of the report is brief and necessarily incomplete, its objective is to lay a groundwork that will assist consideration of the simulation to follow.

The Basis of Apportionment

While a number of issues has been raised in the many discussions with officials and trustees, none has been more critical than the basis for apportioning trustees. A number of parameters has been suggested, with various weights being given to each when they are combined. It is clear from our discussions that there is little confidence that the present approach is the best one possible for translating voters' preferences into board seats. As chapters 3 and 4 are dedicated to a simulation and analysis of the effects of using various parameters, further discussion on these points would be redundant here.

The Process of Apportionment

Interviews revealed three issues - the timing of apportionment, the background of the personnel who perform it, and the awareness of the trustee's role that is needed if effective electoral districts are to be constructed.

The major complaint about timing was that insufficient time is allowed (1) to discuss and correct deficiencies in proposed electoral districts, (2) to appeal decisions, (3) to prepare for elections when substantial changes have been made, and (4) to permit electors to learn about the candidates who stand for election. The study team perceived that most respondents would appreciate more time - first to apportion seats, and then to prepare for and conduct elections.

> Recommendation 01: That reapportionment be carried out in the calendar year preceding an election year in order to permit adequate time for appeals and preparation for an election.

The issues of personnel and awareness are related. Municipal clerks seem to lack an essential awareness of the trustee's role and of the implications of constructing electoral districts that are unwieldy. Possibly because they normally work with individual municipalities or with counties that do not have direct elections, clerks seem to lack the experience necessary to fashion effective boundaries for elections to county or district school boards. By consequence, significant problems are created for trustees who are expected to "represent", which means covering huge territories, communicating in unknown communities, and attending to disparate viewpoints. While being at arm's length may be a positive characteristic of a person making decisions on electoral boundaries, it is essential to be sensitive to the problems and to the nature of trustee representation. We believe that officials of the board and of the municipality, along with trustees, should apportion districts.

> Recommendation 02: That reapportionment be the joint responsibility of the Director of Education of the given school system in the area and the clerk of the county, region, or largest municipality in that jurisdiction, who shall provide to the respective school board for its consideration and decision, three alternatives for reapportionment of trustee representation, by December 31 of the calendar year preceding an election.

Furthermore, inadequate understanding of the apportionment process and of the essential characteristics of sound electoral districts have created confusion and undue delay. Understanding of the process would be greatly enhanced by the production of guidelines, written in simple and straightforward prose, to instruct and inform all parties of the objectives of apportionment and of ways to accomplish those objectives.

> Recommendation 03: That guidelines be prepared by the Ministry of Education to assist directors and clerks in the task of reapportioning trustee positions and that workshops be held to inform personnel on all aspects of apportionment objectives and procedures.

The Electoral System

Representational democracy requires one person to stand in the place of other citizens and to be a link between those citizens and their government. To serve in this capacity, a representative not only needs to be attuned to constituent interests but needs to be able to seek out, from time to time, clues to those interests. Such a "seeking out" is more likely where electoral districts have characteristics that encourage good communication with constituents. This transfer of ideas is more likely to be effective in compact districts where people have similar interests, attitudes, and frames of reference.

> Recommendation 04: That, where possible, the concept of "community of interest" be fostered by defining compact, contiguous wards for which trustees are elected.

As well as needing to be able to communicate with the representative, the constituent needs to be able to determine when a representative is succeeding or failing to articulate the person's interests. In large electoral districts, such as those where candidates campaign at-large, from which many members are elected, and in which numerous candidates stand for election, it is difficult for the constituent to discriminate among candidates. Single- or, at most, two-member wards would be more effective in providing the elector with the opportunity to cast an informed vote and to help establish a bond between trustee and citizen.

> Recommendation 05: That elections be held within electoral districts for which a maximum of two trustees may be elected.

Traditionally, Ontario's system for electing trustees relied upon the school section or the township as the electoral district. With the modernizing of larger school boards, one township would be added to an adjoining one to form units large enough to justify representation by a single trustee. We believe, that wherever possible, this system should be continued. Yet, if those who draw electoral districts cannot otherwise connect municipalities to form contiguous areas, parts of different municipalities in which electors have similar interests should be joined. These interests might be associated with a school, a community, or even an ethnic or economic entity. The redistribution of constituencies should take account of "natural" constituencies. It is more important, then, to maintain similarity of constituent interest than to maintain whole municipalities.

> Recommendation 06: That electoral districts include contiguous municipalities, or parts thereof, in a manner that represents communities in the minds of electors.

> Recommendation 07: That it be acknowledged that the fashioning of electoral districts to recognize "communities of interest" may require the breaching of municipal boundaries.

When they lack any "community" focus, many rural areas with sparse populations have significant problems in developing a community of interest. Frequently the only institution that spans the whole area is the school, and possibly only the secondary school. Where such integrity of school communities exists, it may be helpful to designate the school catchment area as the electoral district, even though schools may vary in size and school catchment areas will probably be irregular in shape. To be sure, problems will emerge in running an election within such electoral districts - at least trustees would have a clear focus for their work of representation and a clear identification in the minds of their constituents.

> Recommendation 08: That, where the "communities of interest" are, for the most part, centred on school catchment areas, the electoral districts be structured to encompass those areas.

Differences among electoral districts may presently range up to five per cent. In some situations this provides inadequate tolerance to permit reasonable electoral districts to be formed. Greater tolerances are permitted at both the federal and provincial levels (up to 25 per cent), and ranges of up to ten per cent would not seem excessive in electoral districts for school boards.

> Recommendation 09: That, in order to provide flexibility in the construction of electoral districts, variances of up to ten per cent in the values of the criteria used for determining representation be permitted among districts within a jurisdiction.

Having emphasized the importance of district designers respecting communities of interest when setting boundaries for electoral districts, we need to advocate retention of electoral districts which already have strong traditional roots in the community. Respondents frequently expressed dismay at the loss of a trustee position or of an electoral district that had "always" been there. Although we recognize that loss of a seat is due to relative changes in the community - either in assessment, population, or both - changes in long-standing representation should not be undertaken lightly. The retention of a single trustee should be encouraged where, other things being equal, an area traditionally has "its" trustee.

> Recommendation 10: That, where traditionally, a community or municipality has been represented by a trustee, every attempt should be made to provide that unit with representation, either (a) through the allocation of a position, even where numbers fail to justify a full trustee, or (b) through the creation of an electoral district identified with the community by combining areas centred on that community.

Equitability in Representation

The way in which the number of trustees is to be determined will be dealt with in the following chapters. This section is aimed at consideration of the way in which small minorities might have their particular interests represented.

Regardless of how the bulk of trustees is apportioned, areas of the province always will have small minorities whose voice should be heard when representatives meet. Most of this report is addressed to the apportionment of a specific number of trustee positions on the basis of geography, assessment, or population among groupings of majorities, Public or Separate School supporters, Francophones or Anglophones. In such determinations, tiny minorities fail to gain representation because their numbers do not warrant even a single spokesperson. Believing that assemblies should be representative of certain constitutionally recognized groups of these minorities, we recommend that the "add on" principle be used to establish a presence through a single representative. Beyond this one representative, we would rely on requirements of the generally applicable formulas.

> Recommendation 11: That where, due to population imbalance, minority groups, i.e., Anglophones, Francophones, and Native Canadians, would lack an opportunity to have their interests effectively represented at Board meetings, the "add on" principle be employed to ensure a minority group voice in deliberations.
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> Recommendation 12: That a single representative be accorded to a minority group, i.e., Anglophones, Francophones, and Native Canadians, under Recommendation 11 and that further representation be in keeping with allocations based on formulas normally used for apportionment.

If representation is to have any significant meaning to a people, the means of choosing appropriate representatives to sit on governing bodies must be characteristic of the culture of those who are being represented. Volume 1 of this report, outlining 200 years in the development of the present method of selecting trustees in Canada, illustrates an interest in the electoral process that grew out of Anglo-Saxon and French traditions. But Native Canadians have a different heritage! Wisely aware of the impact of culture and ethos on education, Ontario enables its Native trustees to vote on the full range of issues that come before boards. But Native heritage has not completely found its place in the determination of Native trustees. For instance, some isolated boards which serve an almost exclusive Native clientele are governed by bodies with few or no Native trustees. Elsewhere, Natives living on reserves may dispatch one of their number to be a board's sole Indian trustee - but that Native's perspective may be quite different from that of Status and Non-Status Indians living in towns and comprising a proportionally larger share of the region's population. Whatever the outcome of discussions now underway at the federal and provincial levels about disparities such as these, we hope that various Native heritages can be represented. For trustees to be meaningful within Native culture, that heritage must find its place in the selection of representatives of Native Canadians.

> Recommendation 13: That the methodology used for choosing a trustee to represent Native Canadians continue to be decided by Bands within the school district.

Public-Separate Boundaries

In areas where the board of education and the separate school board do not have the same boundaries, confusion emerges in the minds of electors over identities - specifically, who is the representative on each board and to what board should their concerns be addressed? This phenomenon is particularly manifest where several separate school boards cover the same area as one board of education. To overcome such confusion, we suggest that each area be governed by two boards, a Board of Education and a single Separate School Board.

> Recommendation 14: That, in order to foster stability of representation and identification, boundaries of boards of education and Roman Catholic separate school boards be coterminous wherever possible.

Chapter Three

Background to Simulating Apportionment

CHAPTER 3: BACKGROUND TO SIMULATING APPORTIONMENT

In Ontario, the system for determining the number of trustees to be elected and by whom they are to be elected is quite complex. There is a variety of types of school board and each type is governed by a somewhat different formula for calculating the overall number of trustees, and for allocating them among the electorate. These formulas are found in various pieces of legislation, with some boards covered by specific legislation enacted to address a unique situation (for example, Ottawa-Carleton, Metropolitan Toronto). A full discussion of the several formulas is to be found in Appendix 1.

Because, historically, the separate school system has received public funding only for elementary education (defined in this case as Kindergarten and Grades 1 through 10), separate school electors have elected separate school trustees to public boards of education to represent their interests with respect to secondary education.

In spite of the variety of specific legislation and formulas, the basic approach to the determination of trustee representation has two elements: calculation of the total number of trustees to be elected to a given board and distribution of those trustees within the jurisdiction. The first step, determining the overall number, is based upon the population of the jurisdiction, including both public and separate school supporters and their dependants. The second step, assignment of trustee positions to groups of electors, is proportional to each group's share of the equalized residential and farm assessment. (Defined city boards are an exception to this rule. Where such boards conduct elections on a ward basis, wards are determined on the basis of population.)

Because property is not always assessed or reassessed on a sufficiently timely basis, equalization factors are developed to reflect the percentage that assessment represents of the"real"value of property. For example, an equalization factor of 20 means that the property is worth five times its assessed value (i.e., $10 000/20 x 100 = $50 000). The factor is used to bring assessment up to full value so that municipalities can be considered and compared (for taxation, representation, or grant purposes) on an equal footing. The equalization factor is developed by comparing property assessments with the sale price of comparable real estate within the municipality.

Once the total number of trustees to be elected has been determined according to the various tables that set out the number of trustees for different types of boards at various levels of population, trustees are apportioned within the jurisdiction.

In the case of public school boards, apportionment involves three steps: (1) determining how many trustees are to be elected by public school electors and how many by separate school electors; (2) determining how many of each of the two groups identified in the first step are to be elected by the electors of the city(ies); and (3) allocating the remaining trustee positions to county or district municipalities. In the case of separate school boards, the first step is unnecessary.

The first two steps (one step in the case of the separate school boards) are, again, governed by formulas set out in legislation. The final step is carried out by county or municipal clerks under the general direction that representation be related to proportional, equalized residential and farm assessment.

The purpose of this part of the study has been to examine the way in which trustees are distributed within jurisdictions and specifically to consider alternatives to assessment as the basis for representation. The problems with using assessment as the basis for representation have been discussed in detail, but a summary here serves both as a review and as an introduction to the rationale for the alternatives investigated.

ASSESSMENT

Assessment as the basis for representation is a brief and relatively recent tradition in Ontario, having been introduced in 1969 when the larger school boards were formed. It is also unique to Ontario and, within this province, to school board representation. The more well-established and widely accepted foundation for democratic representation is "one person, one vote". Under the present system, the weight of individual votes (and, therefore, the extent to which the individual voter is equally and equitably represented) varies with the equalized value of assessed property. Where equalized assessment is high, a trustee is elected by fewer voters than where equalized assessment is low. The extreme example of this effect (and one which has been recognized and addressed by a special legislative formula, the Muskoka Formula) may be found in West Parry Sound. The Archipelago, which forms part of this school board jurisdiction, comprises property that carries a high equalized-assessment value (because of the number of recreational properties) but has only a handful of year-round residents. On the basis of assessment, the Archipelago would merit 3 of the 14 trustees to be elected. One may imagine that the majority of the ratepayers in the Archipelago, whose children attend school elsewhere, might be more interested in limiting taxation than in supporting a school system in which they do not participate. The special formula shifts representation back to the City of Parry Sound in recognition that the needs of those who depend upon the local school system must be adequately represented.

In less extreme cases, assessment creates less, or less visible, imbalance. The conceptual issue remains the same, however.

There seems to be a symbolic importance attached to assessment and an implied association of assessment-based representation with fiscal responsibility on the part of school boards. There is a perception that "he who pays the piper, calls the tune." This perception is, however, inaccurate. Residential and farm assessment is used to determine trustee distribution. The value of farm property includes the value associated with its revenue-generating capacity (a business component). There is no corresponding business component associated with the urban property on which trustee determination is based. Moreover, a tax rebate is paid to farmers so that, not only is rural property assessment inflated by its business element, the owners effectively pay less tax in support of education. Under the present system, those who appear to pay the larger share have a greater ability to call the tune than those who may actually pay the larger share.

In practical terms, although equalization attempts to ensure that property values are comparable, assessment is subject to shifts in property values. Inflation, land speculation, and changes in land use cause property values to rise and fall in ways that may not reflect real or permanent changes in the distribution of supporters or users of the school system. Furthermore, these fluctuations are not unidirectional - representation may shift back and forth between municipalities causing uncertainty for both electors and trustees, with negative consequences for the stability of school boards.

Finally, the use of assessment has created some anomalies in areas comprising lands not subject to property tax (for example, Crown Lands) or undeveloped land which carries a low-assessment value. A single trustee represents 31 townships on the Timiskaming School Board. While the population of this area may also be low, the present system has not provided for minimum levels of representation. Although, perhaps, the inclusion of the business component of farm assessment was intended to ensure higher levels of rural representation than mere population would generate, the present system has not compensated areas that may be rural but not predominantly farmland.

CRITERIA FOR ALTERNATIVES

Once the decision had been taken to consider alternatives to the present use of assessment, it became necessary to identify the charactertistics required for a feasible and acceptable method of determining representation.

First, any alternative must be representative both of those whose taxes support education and of those whose needs are served by the school system. Second, this representation must not only be equitable, but also be perceived to be equitable. The implication of this second prerequisite is that it may be necessary to guarantee minimum representation for identifiable minority interests (religious, linguistic, or territorial).

Third, any method for determining representation should be relatively stable such that shifts in representation reflect real and persistent changes in the makeup or distribution of those who are being represented. The method should be relatively immune to fluctuations associated with speculation or transitory effects.

Fourth, the method should be practical. It must be based on information that is readily available or can be obtained on a predictable and timely basis. It must involve relatively straightforward calculations to facilitate the determination and to ensure that the result is both understood and accepted. It should rely on objective criteria and minimize subjective judgement.

Finally, any method should have a consistent effect between jurisdictions. As the simulations discussed in the following chapter indicate, some methods which may seem workable in some jurisdictions have unintended and unexpected consequences in others. Ironically, this result may be best avoided by employing formulas which are internally relative (within each board) rather than setting fixed, objective levels or using formulas that are externally relative (between boards).

ALTERNATIVES

Twelve simulations were conducted for each of 33 school boards (18 public boards of education and 15 separate school boards). The 12 methods examined fall into five broad categories, each based upon a specific combination of criteria. In all but one of these categories, there are multiple simulations to explore variations on the theme.

Category 1: Assessment

We "simulated" the existing arrangement to serve as a basis for comparison with the results of the other methods examined. In a second simulation, we substituted for the published Assessment Equalization Factor (AEF), the AEF used for the purpose of allocating General Legislative Grants (GLG). The latter AEF is a five-year rolling average figure.

Category 2: Population

We conducted two simulations based on population alone. The first of these used total population (including both adults and children) as a measure of both those who support the system through taxation and those whose needs are or will be served by it ("supporters and their dependants"). The second simulation used adults of voting age ("electors") as a measure of those who pay for the system and who participate in the electoral process. We were curious to see if there would be any difference in trustee distribution between the two approaches. In all other simulations involving population, total population ("supporters and dependants") was used.

Category 3: Population and Assessment

This was a single simulation in which the results of assessment-based distribution (using the published AEF, the current method) and the results of population-based distribution (using total population) were averaged.

Category 4: Population and Area

We conducted three simulations in this category. In one we calculated the log of the areas of each municipality (a way of reflecting the relative size of the geographical territory to be represented)* and multiplied the result by the population of the municipality. In the other two simulations, we used weighted averages of population and area: (a) giving population 2/3 weight and area 1/3 weight; and (b) giving population 9/10 weight and area 1/10 weight. In all three cases, the intent was to reflect both the population to be represented and the elements of distance to be travelled and size of the territory for which a trustee might be responsible.

Category 5: Population and Density

Once again, our intent was to explore ways of reflecting both the population to be represented and the difficulties that territory might create for trustees. In this category, we conducted four simulations, two that would redistribute trustee representation to compensate for low density and two that would generate additional trustee positions in areas of low density. In each of the redistributive and additive approaches we used two "break points" at which additional weight would be given to the population of a municipality: a) the density of a specific municipality being less than 50 per cent of the overall density of the school board jurisdiction; and b) the density of the specific municipality being less than 10 per cent of overall density.

An outline of the methodology of each simulation may be found in Appendix 2. In each, the process begins with the determination of the number of trustees to be elected by public school electors and the number to be elected by separate school electors. This step is not necessary in the case of separate school boards. Otherwise, the same calculations were made and the same formulas applied for separate school boards as are set out for public boards of education.

DEFINITIONS AND DATA SOURCES

It should be noted that public boards of education and separate school boards are not always identical in terms of the municipalities they comprise. In many cases, the separate school board incorporates more municipalities than the corresponding public board. For example, Huron-Perth RCSS Board covers both Huron and Perth counties, each of which has its own public board of education. The Brant County RCSS Board includes two of the townships that do not belong to Brant County and for which other boards of education are responsible. The determination of separate school trustee representation on public boards is, however, limited to the territory associated with the public board. That is, the separate school electors in Delhi and Norwich North, for example, elect separate school trustees to the Norfolk and Oxford County boards of education respectively, even though they elect trustees to the Brant County RCSS Board. The assessments (or, for the purposes of this study, the population, area, and density) of these townships are not used to calculate separate school representation on the Brant County Board of Education.

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* The Logarithm of a number with base 10 is equal to the exponent to which 10 must be raised in order to equal that number. For example, log (base 10) of 1000 is 3 because 10x10x10 is 1000. It is quite common to compress scales that have very large ranges by taking the logs of the numbers. Perhaps the best known of such scales is the Richter Scale for measuring the intensity of earthquakes. In this scale, each increase of one on the scale, such as from 5 to 6, means an increase in severity by a factor of 10. That is, an earthquake measuring 6 on the scale is 10 times as great as one measuring 5 on the scale. Our use of the log has a similar purpose.

Under the Education Act (section 1 (1) 61), a separate school supporter is a Roman Catholic ratepayer in respect of whom notice of school support has been given under section 119 and in respect of whom notice of withdrawal of support has not been given under section 120; who is shown as a separate school supporter on the school support list as prepared or revised by the Assessment Commissioner under section 15 of the Assessment Act; or who is declared to be a separate school supporter as a result of a final decision rendered in proceedings commenced under the Assessment Act, and includes the Roman Catholic spouse of such ratepayer. A separate school elector is a separate school supporter who is entitled to vote under the Municipal Elections Act. Public school supporters and electors are those who are not separate school supporters and electors.

We used 1985 population figures in conducting the simulations for this study. Had population been a factor in the determination of trustee representation for the last election, only the 1982 data would have been available at the time the determinations had to be made. Our considerations in choosing to use the more recent data were that in assessing the various formulas we had developed, differences in results should not reflect changes that might be associated with the passage of time. That is, up-to-date assessment data might produce a result that reflects shifts in residence patterns while three-year-old population data might not yet include the results of such changes. In addition, while the 1985 data might not have been available for the last election, a decision to use population as the basis, or part of the basis, for determining trustee representation might be accompanied by a decision to enumerate earlier in the year, to maintain a permanent voters list, or to adopt some other means for ensuring that the data to be used are as current as possible.

The result of this decision to use the 1985 figures is that, in some cases, the total number of trustees to be elected according to the simulations is different from the total number elected during the last election. In addition, the current assessment-based formula has been applied "as is", under these simulations. That is, for example, no Muskoka Formula correction has been applied to West Parry Sound. The intent of this approach was to ensure that the effects of the current method were clear and visible in contrast to the effects of the other formula being simulated and for which, with the exception of the redistributive or additive characteristics built into simulations 9 through 12, no correcting factor has been applied.

For the purposes of this study, the following data have been used as follows:

Population - "Supporters and dependants"
Population figures total, public support and separate support by municipality
1985 - Municipal Analysis & Retrieval System
Ministry of Municipal Affairs

These data include supporters as defined under the Education Act and their dependants (children and other individuals lodging in the same domicile). Those who may be ineligible to vote under the Municipal Elections Act are also included.

Voting Age Population - "Electors"
Population figures (aged 18 and over) total, public support and separate support by municipality
1985 - Municipal Analysis & Retrieval System
Ministry of Municipal Affairs

These data include individuals 18 years of age and older but do not exclude those ineligible to vote under the Municipal Elections Act. The use of these data was meant to simulate electors and does, in fact, reflect supporters as defined under the Education Act.

Assessment - Unequalized
Dollar amounts total, public support and separate support by municipality
1985 estimates - Ministry of Education Computer Output

Published Assessment Equalization Factor
1984 - Ontario Gazette

General Legislative Grants Assessment Equalization Factor
1984 - Ministry of Education Computer Output

"Residential Only" Assessment Equalization Factor
1984 - calculated by School Business & Finance Branch
Ministry of Education

Area (in hectares)
Municipal Directory, 1985
Ministry of Municipal Affairs & Housing
Government of Ontario

Chapter Four

Using Thirty-Three School Board Jurisdictions

CHAPTER 4: SIMULATIONS USING THIRTY-THREE SCHOOL BOARD JURISDICTIONS

Twelve simulations were carried out on each of the 33 school boards in the sample (18 public boards of education and 15 Roman Catholic separate school boards). These boards were selected to reflect the variety of boards in Ontario and include northern and southern boards, large and small boards, boards that have both city and county municipalities, boards that have only county municipalities, and one board (Timmins) that is a single city. The results, therefore, are representative of the effects the different methods of trustee determination would have on the range of types of school boards in Ontario and allow us to draw conclusions about the feasibility and desirability of the methods simulated.

REPRESENTATION ON PUBLIC BOARDS OF EDUCATION: DETERMINING THE NUMBER OF PUBLIC AND SEPARATE SCHOOL TRUSTEES

The first step in determining representation on a public board of education, under the present system, is the calculation of the number of trustees to be elected by the public school electors and the number to be elected by the separate school electors.

We applied the 12 simulations to the 18 public boards of education in our sample. In each case, the first step was the calculation of the proportion of the total number of trustees to be elected as public school trustees and the proportion to be elected as separate school trustees. The first simulation uses equalized residential and farm assessment as the basis for this calculation. Simulation #1 is the current method although, because 1985 population data were used, the total number of trustees to be elected is different in some cases from the numbers applicable in the 1985 elections. This first simulation is referred to as the status quo and is the benchmark against which all other results, with the exception of simulation #11, were compared.

The second simulation uses equalized residential and farm assessment calculated using the General Legislative Grants Assessment Equalization Factor (GLG AEF). In the third and sixth through twelfth simulations the division between public and separate school representation is based on total population, with the eleventh and twelfth simulations having the potential to result in additional trustees being added. The fourth simulation is based on voting age population. The fifth employs an average of the total population and the equalized residential and farm assessment calculated using the published AEF.

There is a potential, therefore, for seven different outcomes: the two assessment bases, total population, voting age population, the average of total population and equalized assessment and two simulations in which there might be additional representation.

In fact, the results are somewhat more homogeneous than the potential for variety suggests. In all 18 cases, the outcomes of the two assessment-based simulations were identical. In none of the eighteen cases did simulation #12 create additional trustee positions. Simulation #11 did generate additional representation and will be discussed separately from the other results.

Excluding simulation #11, there was no change in the distribution of trustee positions in seven of the 18 cases. In the other 11 cases, some of the simulations resulted in changed distribution. These shifts in distribution were all from public to separate trustee positions. Simulations #3 and #6-#10 resulted in a shift of one trustee from public to separate in 10 cases and a shift of two trustees in the same direction in one case. Simulation #4 resulted in a loss of one public trustee position (and a corresponding gain for separate trustee positions) in six cases and a shift of two positions in one case. Simulation #5 resulted in a shift of one position in seven cases. These results are presented in table 4.1.

We can see that equalized residential and farm assessment has not accurately reflected the characteristics of the people represented by school board trustees and that it has under-represented separate school supporters. There is a closer association between assessment and voting age population (61.1 per cent experienced no change) than between assessment and total population (38.9 per cent experienced no change).

One would expect to find a closer correlation between the number of voters (owners or tenants) and a measure of property value than between total population and the same measure of property value, because family size (number of children) could be expected to vary with religion. The fact remains, however, that in 38.9 per cent of the cases, there is a difference between the results generated by assessment and those generated by voting-age population. This gap is 61.1 per cent when total population is used.

The results of simulation #5 average the effects of assessment and total population, and give rise to results that are similar, though not identical, to those for voting-age population.

Simulation #11 had the potential to generate additional representation relative to the distribution based on total population (simulation #3) and did so 41.6 per cent of the time. Because the effects on the number of public and separate trustees were independent of each other, the total number of cases in which additional representation might be generated was 36. Additional public school trustee positions were created in 15 of 18 cases; additional separate school trustee positions were created in 6 of 18 cases. These results suggest that separate school supporters and their dependants are relatively more evenly distributed across the municipalities within school board jurisdictions than are public school supporters, and that there is a higher concentration of public school supporters and their dependants in the cities (additional trustee positions were generated exclusively in county municipalities - see table 4.4). The number of additional positions ranged from +1 to +4 in the case of public school trustees, but only from +1 to +2 for separate school trustees. In the majority of cases, only one or two additional positions were created (25.0 per cent and 22.2 per cent respectively). (See table 4.2.)

Table 4.1: Changes in Trustee Distribution: Public vs. Separate (excluding simulation #11)*

Municipality	Sim #1 St. Quo	Sim #2 GLG AEF	Sim #3 #6-10,12 Tot Pop	Sim #4 Vot Age Pop	Sim #5 Av Pop & Assess
Lambton	14,4				
Brant	15,3				
Frontenac	15,3				
Lincoln	16,4				
Niagara S	14,6				
Huron	14,2				
Perth	14,2				
Waterloo	16,4		+1 S	+1 S	+1 S
Peel	15,5		+1 S		
Durham	17,3		+1 S		
Pres Russ	4,12		+1 S	+2 S	+1 S
Ft Frances	13,1		+1 S	+1 S	+1 S
Middlesex	14,2		+1 S		+1 S
Timiskaming	10,4		+2 S	+1 S	+1 S
L Superior	10,4		+1 S	+1 S	+1 S
Timmins	7,7		+1 S		
Renfrew	12,4		+1 S	+1 S	+1 S
W Parry Snd	14,0		+1 S	+1 S	
No Change		18 100%	7 38.9%	11 61.1%	11 61.1%
+1 Separate		0	10 55.6%	6 33.3%	7 38.9%
+2 Separate		0	1 5.5%	1 5.5%	0
		18 100%	18 100%	18 99.9%	18 100%

* changes are relative to Simulation #1, the status quo.

Simulations #3, #6-#10 and #12 have been grouped because the results are identical. Although simulations #6-#8 involve the use of Area, the Areas are common to both populations and have no effect on the public-separate split. This is also true of simulations #9 and #10, which involve the use of density. Simulation #12 has the potential to generate additional representation for the two categories independently (as does simulation #11) but the threshold of density less than 10% in this simulation was too low to produce that effect for any of the cases in the sample.

Table 4.2: Changes in Trustee Distribution: Public vs. Separate*
Simulation #11 adds trustees in municipalities in which density is less than 50 per cent overall density

Municipality	St Quo Sim #1	Tot Pop Sim #3	Sim #11	Add'l Public	Add'l Separate
Lambton	14,4	14,4	17,5	+3	+1
Brant	15,3	15,3	18,4	+3	+1
Frontenac	15,3	15,3	16,3	+1	0
Lincoln	16,4	16,4	20,5	+4	+1
Niagara S	14,6	14,6	15,6	+1	0
Huron	14,2	14,2	16,2	+2	0
Perth	14,2	14,2	18,2	+4	0
Waterloo	16,4	15,5	17,5	+2	0
Peel	15,5	14,6	15,6	+1	0
Durham	17,3	16,4	18,4	+2	0
Pres Russ	4,12	3,13	3,15	0	+2
Ft Frances	13,1	12,2	14,2	+2	0
Middlesex	14,2	13,3	15,3	+2	0
Timiskaming	10,4	8,6	9,7	+1	+1
L Superior	10,4	9,5	9,5	0	0
Timmins	7,7	6,8	6,8	0	0
Renfrew	12,4	11,5	13,6	+2	+1
W Parry Snd	14,0	13,1	15,1	+2	0

No change		15	41.6%	3	16.7%	12	66.7%
Additional Trustees	+1	9	25.0%	4	22.2%	5	27.8%
	+2	8	22.2%	7	38.9%	1	5.5%
	+3	2	5.5%	2	11.1%	0	
	+4	2	5.5%	2	11.1%	0	
	N =	36	99.8%	18	100%	18	100%

* changes are relative to the basic number of trustees generated by simulation #3 (total population) which is the base from which additional trustee representation is calculated in simulation #11. The results, therefore, show the additional representation dictated by relative density - the effect of using total population as the means of determining the "basic" number of trustees has been removed.

It should be noted that one of the cases in which no additional representation was added was Timmins, which comprises a single municipality.

REPRESENTATION ON BOARDS OF EDUCATION AND ROMAN CATHOLIC SEPARATE SCHOOL BOARDS: CITY VS. COUNTY REPRESENTATION

The second step in determining trustee distribution (the first step for separate school boards) is the calculation of the number of trustees to be elected by city(ies) and the number to be elected by the county municipalities. Ten of the 15 RCSS boards in our sample included both city and county municipalities (four had only county municipalities and one, Timmins, is a single city). Ten of the 18 boards of education in the sample included both city and county municipalities (seven had only county municipalities and one, Timmins, is a single city). Because the allocation of trustee positions between city and county is calculated independently for public and separate school trustees on the board of education, the total number of cases is 30.

In all 30 cases, the two assessment-based simulations produced identical results. In none of the 30 cases did simulation #12 create additional trustee positions. The results of this simulation are, therefore, identical to those for simulation #3 (total population) and they have been reported together in table 4.3. Because the threshold of density less than 10 per cent was too low to produce any effect, simulation #12 was identical in process, as well as in result. Simulation #11, which did produce additional trustee positions (in 20 out of 30 cases) will be discussed separately.

There is more variation in the results of this (urban vs. rural) allocation than there was in the case of the public vs. separate calculations. The changes in representation were not unidirectional, although, with the exception of simulation #7, the majority of the changes that did result were shifts in representation from county to city. Simulation #7, which gave 1/3 weight to Area, resulted in a shift in representation away from the city(ies) to the counties in 17 out 30 cases (56.6 per cent).

The modal result for each simulation is "no change". Where a shift in representation did occur, the mode is a loss of one position from the county to the city(ies). Simulations #3 and #4 which use population alone as the basis for determination, show, as a strong second mode, a two-position shift from county to city (20.0 per cent and 23.3 per cent, respectively). The results of simulation #10 are similar to those for simulation #3 (differing in only three cases). While the threshold of density less than 10 per cent was too low to produce extra trustees, it was sufficient to modify the results of population-based distribution fractionally. In three cases, these fractions were sufficient to "return" one position to the county relative to the distribution produced by the use of population alone.

Table 4.3: Changes in Trustee Distribution: City vs. County*
(excluding simulation #11)

NB the effect shown in this table is the effect on the number of city trustee positions; there is a corresponding, opposite change in county representation

Municipality	sim 1 & 2	sim 3 10,12	sim 4	sim 5	sim 6	sim 7	sim 8	sim 9
Duff Peel RCSS	0	0	0	0	0	-3	-1	0
Renfrew RCSS	0	0	0	0	0	0	0	0
Brant RCSS	0	-1	-1	-1	-2	-4	-2	-2
Waterloo RCSS	0	+1	+1	+1	+1	-3	0	0
Hur-Perth RCSS	0	+2	+2	+1	+1	0	+1	+1
Lon-Mid RCSS	0	+2*	+2	+1	+2	-2	+1	0
Lincoln RCSS	0	+1	+1	0	+1	-2	0	0
Welland RCSS	0	+1*	+1	0	+1	-1	0	0
Lambton RCSS	0	+2*	+2	+1	+1	-1	+1	+1
Durham RCSS	0	+1	+1	0	+1	-1	0	+1
Lambton P	0	+1	+2	+1	+1	0	+1	0
S	0	+1	+1	+1	+1	0	+1	+1
Brant P	0	+2	+2	+1	+2	-1	+1	0
S	0	0	0	0	0	0	0	0
Frontenac P	0	+1	+2	+1	+1	-1	+1	+1
S	0	0	0	0	0	-1	0	0
Perth P	0	+2	+3	+1	+2	0	+2	+1
S	0	0	0	0	0	0	0	0
Lincoln P	0	+1	+1	0	+1	-2	0	-1
S	0	0	0	0	0	-1	0	0
Niagara P	0	+1	+1	0	+1	-1	0	0
S	0	0	0	0	0	-1	0	0
Waterloo P	0	0	0	0	0	-2	0	-1
S	0	+1	+1	+1	+1	-1	0	0
Peel P	0	0	0	0	0	-2	-1	-1
S	0	0	0	0	0	0	0	0
Durham P	0	-2	+2	+1	+2	0	+1	+1
S	0	0	+1	0	0	0	0	0
Renfrew P	0	0	+1	0	0	0	0	0
S	0	0	0	0	0	0	0	0
city to cnty	-4,+4					1		
	-3,+3					2		
	-2,+2				1	5	1	1
	-1,+1	1	1	1	0	9	2	3
no change		13	11	17	13	12	18	19
cnty to city	+1,-1	10	10	12	12	1	8	7
	+2,-2	6	7		4		1	
	+3,-3		1					

Table 4.3: Changes in Trustee Distribution: City vs. County (excluding Simulation #11)

Part 2

		sim 1 & 2	sim 3 10,12	sim 4	sim 5	sim 6	sim 7	sim 8	sim 9
city to cnty	-4,+4						3.3%		
	-3,+3						6.6%		
	-2,+2					3.3%	16.7%	3.3%	3.3%
	-1,+1		3.3%	3.3%	3.3%		30.0%	6.6%	10.0%
no change		100%	43.3%	36.7%	56.7%	43.3%	40.0%	60.0%	63.3%
cnty to city	+1,-1		33.3%	33.3%	40.0%	40.0%	3.3%	26.7%	23.3%
	+2,-2		20.0%	23.3%		13.3%		3.3%	
	+3,-3			3.3%					

NB - the effect of the shift in representation from public to separate trustees has been factored out of the results reported in this Table for those Boards in which a shift occurred (see Table 1).

* changes are relative to Simulation #1, the status quo. Simulations #1 and #2 have been grouped because the results are identical. Similarily, simulations #3, #10 and #12 have been grouped because there is no difference in the results produced by simulations #3 and #12. The results of simulation #10 differ fractionally in three cases (London-Middlesex RCSS, Welland RCSS, and Lambton RCSS). The fractional differences associated with extra weight being assigned when density is less than 10% of overall density is insufficient to generate extra trustee representation but is sufficient to cause a minor redistributive effect in a few cases. In each of the three cases, one position shifted from county to city by the use of population would remain with the county under simulation #10.

In simulations #6, #7, #8, and #9 the effect of population is modified by the use of Area (#6-#8) and density (#9). In the case of simulation #7, this modification produces a marked shift from city to county: the range of change in representation for the cities is from +1 to -4 when simulation #7 is used. The range of change produced by the other simulations is more narrow and the predominant change is a shift of one position from county to city.

Table 4.4 shows the effect of simulation #11 on city and county representation. Under this simulation, additional weight for trustee representation was given to municipalities in which the density of the relevant population (public or separate, independently of each other) was less than 50 per cent of the overall density of the relevant population across the school Board jurisdiction.

As one might expect, no additional trustee positions were generated in the cities (where density in most cases would exceed the overall density of the entire jurisdiction). The counties, 76.7 per cent of the time, were the beneficiaries of additional representation. The range of extra positions was from +1 to +4, with a mode of +1 (36.7%) and a second mode of +2 (26.7%). Six of the seven cases in which no additional representation was generated were separate school trustee components of public boards of education. One was an RCSS board. The range of additional representation was more limited for RCSS boards (+1 to +2) than for public boards, and in no case did the separate-school-trustee component of a public board increase by more than one position. The results of simulation #11 are set out in table 4.4. They suggest that inequities associated with low density, such as a trustee having to represent constituents over greater distance relative to his/her peers (trustees representing the same type of supporters), have been more prevalent for public school trustees than for separate school trustees. Because separate school trustees on public boards of education are generally fewer in number than their public school trustee colleagues, they are routinely in the position of representing relatively fewer people over relatively greater distances. Simulation #11 does not attempt to deal with differences in the experience of public and separate school trustees except to the extent that the determination of the basic number of trustees is based on total population and, as the results in table 4.1 show, the use of this basis results in a moderate shift in representation from public to separate trustees.

It is important to remember that the effect of total population on the "basic" number of trustees has been factored out of the results of simulation #11 shown in tables 4.2 and 4.4. The results, therefore, reflect relative imbalances within trustee groups rather than among groups. The relatively lower incidence of extra positions and the generally lower level of additions for separate school trustees suggest that this group has been less subject to internal inequities of representation than have public school trustees. The unidirectional shift of representation from public to separate trustees revealed in table 4.1 suggests that separate school trustees may have been underrepresented in terms of overall numbers. The Waterloo, Peel, and Durham boards, for example, experience a shift of one position from public to separate trustees as a result of the use of total population (an extra county position in the case of Durham). There is no further shift from city to county as a result of simulation #11.

Table 4.4: Changes in Trustee Distribution: City vs. County*
Simulation #11 - adds trustees in municipalities in which density is and less than 50 per cent overall density

Municipality	St Quo Sim #1	Tot Pop Sim #3	Sim #11	Add'l City	Add'l County
Duff Peel RCSS	13,1	13,1	13,2	0	+1
Renfrew RCSS	2,10	2,10	2,12	0	+2
Brant RCSS	10,4	9,5	9,7	0	+2
Waterloo RCSS	12,2	13,1	13,2	0	+1
Hur-Perth RCSS	2,12	4,10	4,12	0	+2
Lon-Mid RCSS	10,4	12,2	12,3	0	+1
Lincoln RCSS	10,4	11,3	11,5	0	+2
Welland RCSS	11,3	12,2	12,3	0	+1
Lambton RCSS	5,9	7,7	7,9	0	+2
Durham RCSS	6,8	7,7	7,7	0	0
Lambton P	4,10	5,9	5,12	0	+3
S	1,3	2,2	2,3	0	+1
Brant P	9,6	11,4	11,7	0	+3
S	2,1	2,1	2,2	0	+1
Frontenac P	6,9	7,8	7,9	0	+1
S	2,1	2,1	2,1	0	0
Perth P	4,10	6,8	6,12	0	+4
S	1,1	1,1	1,1	0	0
Lincoln P	10,6	11,5	11,9	0	+4
S	3,1	3,1	3,2	0	+1
Niagara P	10,4	11,3	11,4	0	+1
S	5,1	5,1	5,1	0	0
Waterloo P	13,3	13,2	13,4	0	+2
S	4,0	5,0	5,0	0	0
Peel P	14,1	13,1	13,2	0	+1
S	5,0	6,0	6,0	0	0
Durham P	5,12	7,9	7,11	0	+2
S	1,2	2,2	2,2	0	0
Renfrew P	1,11	1,10	1,12	0	+2
S	0,4	1,4	1,5	0	+1
No change				30 100%	7 23.3%
Additional Trustees +1				0	11 36.7%
+2				0	8 26.7%
+3				0	2 6.6%
+4				0	2 6.6%
				30 100%	30 100%

NB - the effect of the shift in representation from public to separate trustees has been factored out of the results reported in this Table for those Boards in which such a shift occured (see Table 1).

* changes are relative to the basic number of trustees generated by simulation #3 (total population) the base from which additional trustee representation is calculated in simulation #11. The results, therefore, show the additional representation dictated by relative density -- the effect of using total population as the means of determining the "basic" number of trustees has been removed.

It is also notable that, in some cases, simulation #11 "returns" representation that the use of total population took from counties. For example, the Durham Board of Education has 5 city trustees and 12 county trustees under the status quo. Total population results in 7 city trustees and 9 county trustees. Simulation #11 "adds back" two of the three county positions (7 city, 11 county).

Simulation #9, which is based on total population but which redistributes representation to take account of low (less than 50 per cent of overall) density, creates a shift of one trustee from county to city in Durham (6 city trustees, 11 county trustees). The number of county trustees is the same as in simulation #11, but the number of city trustees is lower. If population is the appropriate basis for democratic representation, simulation #9 (redistributive) compensates low-density areas at the expense of the cities, while simulation #11 makes up for low density without penalizing the cities.

REPRESENTATION ON PUBLIC BOARDS OF EDUCATION AND ROMAN CATHOLIC SEPARATE SCHOOL BOARDS: CHANGES WITHIN COUNTIES

The final step in the determination of trustee representation is the allocation of positions among county municipalities. This task is carried out by municipal clerks who group municipalities based on the principles which inform the earlier stages of determination. At the present time, this means the application of proportional, equalized residential and farm assessment. In the simulations carried out for this study, the same bases for city and county distribution were applied within the county to towns, villages, townships, and unorganized territory.

Because many of the counties have a large number of municipalities, each of which merits fractional representation, and because decisions about how those fractions should be combined to form an electoral district for single trustees rest with municipal clerks, we have not presented an exhaustive analysis of the changes resulting from the various simulations on county municipalities. We have presented, in table 4.5, the detailed results for the Lake Superior Board of Education as an illustration of the effects.

At the intra-county level, simulation #2 (assessment using the GLG AEF) may produce slightly different results from those produced by simulation #1, the status quo. For Lake Superior, there is a fractional effect which results in rounding up instead of down for Schreiber which, in consequence, would be entitled to two trustees instead of one. Because there was one position under simulation #1 (the present method) which was "unassigned" by the formula, the same outcome might have resulted from the decision making of municipal clerks.

Simulation #1, which is meant to replicate the current method, resulted in a different distribution of trustee positions from the one on which the municipal clerks decided. The actual distribution of positions is: Manitouwadge, 4; Marathon, 3; Schreiber, 1; Terrace Bay, 2; and the unorganized territory, 0. Our simulation of the "status quo" produced the

Table 4.5: Changes in Trustee Distribution: Within the County*
(Lake Superior Board of Education - an illustration)

Municipality	Sim 1	Sim 2	Sim 3 9-12	Sim 4	Sim 5	Sim 6	Sim 7	Sim 8
Manitouwadge	3,1	3,1	2,2	2,2	3,2	3,2	3,2	3,2
Marathon	2,	2,	3,1	3,1	3,	3,1	3,1	3,1
Schreiber	1,1	2,1	1,1	1,1	1,1	1,1	1,1	1,1
Terrace Bay	2,1	2,1	2,1	2,1	2,1	2,1	2,1	2,1
Unorg'd	1,	1,			1,		1,	
unassigned	1,1	,1	1,	1,	-1		-1	
Totals	10,4	10,4	9,5	9,5	9,5	9,5	9,5	9,5
Manitouwadge			-1,+1	-1,+1	,+1	,+1	,+1	,+1
Marathon			+1,+1	+1,+1	+1,	+1,+1	+1,+1	+1,+1
Schreiber		+1,						
Unorg'd			-1,	-1,		-1		-1,
unassigned		-1,	,-1	,-1	-2,-1	-1,-1	-2,-1	-1,-1

* changes are relative to Simulation #1, the status quo.

Simulations #3 and #9-#12 have been grouped because the results, in this case, are identical and reflect the use of total population. Although the results of simulation #4 are also the same, they have been shown separately because the basis for this determination is voting-age population.

NB the sum of the individual number of trustee positions does not always equal the total number because of fractional entitlement. In two cases, because of rounding, it would appear that the number of individual trustee entitlements exceeds the total number of trustees.

following distribution: Manitouwadge, 3; Marathon, 2; Schreiber, 1; Terrace Bay, 2; the unorganized territory, 1. The tenth position was "unassigned" by the formula. The use of either total population or voting-age population would have produced a distribution: Manitouwadge, 2; Marathon, 3; Schreiber, 1; Terrace Bay, 2; the unorganized territory, 0; and one unassigned position. (The lower total number using either population method is the result of a shift of one position to separate school trustees.)

These results were interesting in light of the concerns of the Lake Superior Board, where there was dissatisfaction with the relationship between assessment, taxes actually paid, population, pupil enrolment, and number of trustees. One was that equalized assessment did not reflect taxes paid. One of the communities, Manitouwadge, contained a mine on which little property tax was paid, leaving the residents to pay a higher rate of tax than residents of other communities. There was also concern that representation would shift away from Manitouwadge and Marathon to Schreiber.

The use of either total or voting-age population would, however, result in no increase in representation for Schreiber (1 public trustee, 1 separate trustee) or for Terrace Bay (2 public trustees, 1 separate trustee). There would be an increase in representation for Marathon (from 3 public trustees and no separate trustees to 3 and 1, respectively). There would be a loss of represenation for Manitouwadge (from 4 public trustees and 2 separate trustees to 2 and 2, respectively) but there would be one "unassigned" public trustee position that might be allocated to Manitouwadge.

Although Manitouwadge has 4 public trustees at the present time, our simulation of the current method indicates that one of these positions should, based on equalized assessment, have been assigned to the unorganized territory. With a total population of less than 200, it is not surprising that the decision was made to group that territory with one of the townships, i.e., Manitouwadge. The results of the simulations show that this territory would merit trustee representation only on the basis of equalized assessment or when population was modified by giving one-third weight to Area. Simulation #5 (the average of assessment and population) would also give one position to the unorganized territory.

The distribution based on population would not be very different from the current situation and could be seen as fair and equitable under the principle of representation by population. The problem of the discrepancy between equalized assessment and taxes paid would remain but would not need to be associated with the issue of democratic representation. It could be seen solely as an issue with respect to revenue. The real concern may be with the ways in which taxes may be levied and collected, rather than with the locations to which trustee positions are assigned.

The results of simulation #11 on those boards which have only county municipalities are shown in table 4.6. Additional trustee positions are generated 61.1 per cent of the time with an almost even split between one and two extra positions (27.8 per cent and 33.3 per cent,

Table 4.6: Changes in Trustee Distribution: Within the County *
Simulation #11 - adds trustees in municipalities in which density less than 50 per cent overall density

Municipality	St Quo Sim #1	Tot Pop Sim #3	Sim #11	Add'l Trustees
N of Superior RCSS	8	8	9	+1
Ft Frances RCSS	8	8	9	+1
Pres Russ RCSS	12	12	14	+2
Timiskaming RCSS	8	8	9	+1
Lake Superior P	10	9	9	0
S	4	5	5	0
Ft Frances P	13	12	14	+2
S	1	2	2	0
Pres Russ P	4	3	3	0
S	12	13	15	+2
Timiskaming P	10	8	9	+1
S	4	6	7	+1
Huron P	14	14	16	+2
S	2	2	2	0
Middlesex P	14	13	15	+2
S	2	3	3	0
W Parry Snd P	14	13	15	+2
S	0	1	1	0
No change				7 38.9%
Additional Trustees	+1			5 27.8%
	+2			6 33.3%
				18 100%

* changes are relative to the basic number of trustees generated by simulation #3 (total population) which is the base from which additional trustee representation is calculated in simulation #11. The results, therefore, show the additional representation dictated by relative density - the effect of using total population as the means of determining the "basic" number of trustees has been removed.

respectively). Of the seven cases in which no extra trustees are added, five are the separate school components of a public board of education and two are the complement of public school trustees.

DISCUSSION OF RESULTS

The criteria for evaluating the various methods simulated were discussed in detail in the previous chapter. We said that any method used to determine trustee representation must be: (1) representative of those whose taxes support education and those whose needs are served by the school system; (2) not only equitable, but perceived to be equitable; (3) relatively stable; (4) practical; and (5) consistent in its effect. The different methods simulated are discussed below and some conclusions are drawn. (A complete list of school boards used in this study may be found in Appendix 3. Sample computer output (for the Brant County Board of Education and the Brant County RCSS Board) may be found in Appendix 4.)

Category 1: Assessment

We used two assessment-based simulations, one which "replicated" the status quo (using the published AEF to calculate equalized residential and farm assessment) and another which used the GLG AEF to calculate equalized residential and farm assessment.

As we have seen from the results, with the exception of minor modifications of fractional results in county municipalities, there is no real difference between the two AEFs in terms of the resulting trustee distribution. The GLG AEF is a multiple-year rolling average figure, whereas the published AEF reflects changes in property values for a single year only.

The GLG figure may, therefore, be more stable, smoothing the effects of changes in property value so that shifts in representation would be more gradual. Because the GLG AEF is a multiple-year average, it mav be available earlier and facilitate earlier determination. The published AEF, on the other hand, is likely to be more current. In addition, because elections are held every three years, the midpoint of the GLG AEF is likely to approximate the effect of the single-year AEF from three years ago. That is, it would not so much smooth out changes in property values as delay their effect.

If assessment were to continue to be the basis for determining trustee representation, it would make no appreciable difference which of these two factors was used, and the decision could be made on the basis of convenience of availability of information.

Category 3: The Average of Assessment and Population

This simulation (#5), as one would expect, produced results that fell midway between those for assessment and total population. And, one might contend, minimized any extreme changes while altering some of the effects assessment alone produced.

This method would double the workload required of the individuals responsible for trustee determination. In the case of county municipalities, there would be two principles to guide decision making that could be, and likely would be, in conflict. Municipal clerks are called upon to use somewhat subjective judgement in grouping municipalities and deciding how to allocate trustee positions. It might be more advisable to adopt a method which relies upon a single criterion or, if some other factor is to be involved, employs criteria that are complementary rather than conflicting.

Finally, being neither fish nor fowl, this method begs the question of the appropriate basis for democratic representation - representation of "wealth" or representation by population.

Category 4: Population and Area

We used three simulations that modified the effect of population by taking some account of the size of the territory a trustee might have to cover in representing its residents. There have been concerns that, whether assessment or population is the basis for trustee determination, sparsely populated municipalities would be represented by trustees who would have a large area for which to be responsible, and that this would make it difficult for the trustee to know the constituents' views and for constituents to make those views known to their trustee.

Unlike density or relative density, which will change as the distribution of population changes because of growth patterns or movement, Area is a constant so long as school board and municipal boundaries remain unchanged. As a constant, the effect of Area could be worked out once and applied whenever a determination is made.

Simulation #7, which gave two-thirds weight to population and one-third weight to Area, produced results that shifted representation away from the cities. These results are anomalous in comparison to the status quo and to the other simulations, and may be regarded as extreme in their effect. This method would seem not to be appropriately representative of those who support the education system or of those who benefit from it.

Simulation #8 gave only one-tenth weight to Area. It resulted in no change from the current situation (as simulated) 60 per cent of the time. Where change occurred, it was principally a shift of one trustee from county to city (26.7 per cent). This might be regarded as a relatively balanced, minimally disruptive method. In just under 10 per cent of the cases, representation shifted from the city to the county.

Simulation #6 gave equal weight to proportional population and to a proportional figure based on the Log (base 10) of the Area. The Log (base 10) establishes a "Richter Scale" of Areas within school-board jurisdictions and could be thought of as an Area Equalization Factor. The use of the Log (base 10) has a mathematical logic to it (unlike the decision to give a particular weight to Area, which has an arbitrary quality to it). By analogy to the Richter Scale, this method can be understood conceptually and accepted as legitimate. However, the results of simulation #6 are similar to those for population alone.

Category 5: Population and Density

There were four simulations in this category - two that would redistribute representation and two that would add extra trustee positions in cases of relatively low density. For each method there were two possible thresholds that would trigger redistribution or addition: density less than 10 per cent of the overall density of the relevent population of the jurisdiction and density less than 50 per cent. The former threshold was too low to produce additional trustees and redistributed representation only fractionally. The results of simulation #12 were, therefore, the same as those for simulation #3. The results of simulation #10 were very similar to those for simulation #3.

Simulations #9 (redistributive) and #11 (additive) did give rise to noticeable changes in representation. Both modified the effect of population on distribution, by giving additional weight to municipalities in which density was relatively low. Simulation #9 compensated these municipalities "at the expense of" more densely populated municipalities, generally cities. Simulation #11 added representatives so that the areas of lower density were compensated without diminishing the representation of the more densely populated municipalities.

Simulation #9 produces results very similar to those for simulation #8, at this time. Because density is variable, however, while the effect of Area is a constant, this similarity would vary over time as changes in population distribution occurred. In terms of the work to be done in making the determination of trustee representation, density has the disadvantage of being changeable. Not only must relative density be recalculated each time a determination is made, but there is a potential for changes in the outcome and in the distribution of trustees. However, these changes are more likely to be unidirectional and persistent in nature than the changes that have been experienced with the use of assessment. Although the use of density may involve more work than the use of an Area constant, density may be more reflective of the characteristics of the district to be represented by a trustee and of the problems distance may create for that representation.

Because simulation #11 results in gains without losses, it is, perhaps, more attractive an option than simulation #9. It may be, however, that while the 10 per cent threshold was too low, a breakpoint of 50 per cent is too high. Simulation #11 resulted in the creation of additional trustee positions in a high proportion of cases and has a wide range of effects (from +1 to +4). These results suggest that there may be a need for additional representation over and above the notional total number of trustees set out in the various schedules in current use, and that this additional representation could be used to offset the difficulties associated with distance or with representing a multiplicity of municipalities over a large territory. It may be that formula-generated extra representation would be less useful than a permissive system in which trustee positions could be added in response to particular problems. While simulation #11 generated "entitlement" to additional trustee representation, the ultimate decision with respect to the grouping of municipalities and the assignment of positions would remain at the local level and would involve some exercise of judgement about needs and problems.

Category 2: Total Population or Voting-Age Population?

This set of alternatives is, perhaps, the most thorny of all the options provided in the 12 simulations. The results of the two simulations (overall population and the voting-age population) are not dissimilar. In terms of the allocation between public and separate school trustees, there is less change (from the status quo) with voting-age population (38.8 per cent) than with total population (61.1 per cent) but the range of changes (+1 to +2) is the same. For the allocation between city and county, total population results in less change from the status quo (53.3 per cent) than does voting-age population (60 per cent), and there is a wider range of changes with voting-age population (-1 to +3 vs. -1 to +2).

The voting-age population is made up of those who pay property taxes, or live in residences on which property tax is paid, and who may be presumed, as adults, to make some monetary contribution to the cost of residence for the most part. This population might be regarded as the population that "pays the piper".

Total population, however, comprises not only "supporters" but their dependants, including those who are served by the education system and whose interests should be represented. In most (if not all) electoral systems, representation is based upon the total population, not just upon the enfranchised population. Philosophically, total population is the preferable alternative. In practical terms, total population is a more stable database for the determination of trustee distribution. The information could be gathered several months before the election (possibly the previous spring). If Federal Census data were used as the basis of the calculations, however, it would have the disadvantage of being extremely variable in its currency. That is, the census data available before some elections would be more recent than that available before others, because elections are held every three years and there is a census every five years. One of the consequences of deciding to use population as the basis of determination would be a decision to collect population data every three years in each municipality, early enough to permit the determination to be made on the basis of this information. Alternatively, it would be necessary either to use the previous municipal census (three years out of date) or to tolerate the variable currency of the Federal Census data.

Alternatively, a permanent voters list could be maintained and regularly updated. Individuals could be made aware of the need to register as municipal voters upon changing residence (as they notify the Department of Transport for licensing purposes). While changes would have to be made shortly before each election to ensure that everyone entitled to vote had an opportunity to do so, these changes likely would not have a significant impact on the determination of trustee representation. The use of voting-age population or, more specifically, the population of electors, would reflect population (rather than property values) but would reflect that population which, on the whole, could be assumed to be taxpayers. While "wealth" would not be given weight in allocating trustee positions, there would be a psychological and symbolic association of taxpayers with representation, and a sense of being responsible to, and accountable to, those who must bear the cost of the education system.

CONCLUSIONS

The problems associated with the use of equalized residential and farm assessment in the determination of trustee representation were summarized in the preceding chapter. To the extent that representation was intended, or assumed, to reflect tax support for education, assessment has failed to accomplish this. The inclusion of the business component of farm property coupled with tax rebates to farmers, undermines any correlation between property value and tax actually paid. The situation in Lake Superior further illustrates the imbalance between property value and taxation.

It is also questionable whether equalized assessment reflects wealth (or ability to pay), because changes in property values reflected in the equalization factor may result from land speculation or transitional effects of changes in land use which affect the equalization factor without raising the value of rateable property. Even if equalized assessment did reflect wealth, representation on the basis of wealth is undemocratic and indefensible in a democratic society. In the context of the fundamental democratic principle of "one person, one vote" it is not clear that representation on the basis of taxation, even if this were accomplished by equalized assessment, could be seen as democratic.

The simulations demonstrate that equalized residential and farm assessment has not reflected the characteristics or distribution of the populations represented by trustees. It has underrepresented separate school supporters/electors and has overrepresented county dwellers. We therefore recommend:

4.1 THAT EQUALIZED RESIDENTIAL AND FARM ASSESSMENT BE DISCARDED AS THE BASIS FOR APPORTIONING TRUSTEE REPRESENTATION FOR SCHOOL BOARDS IN ONTARIO.

We further recommend:

4.2 THAT THE DETERMINATION OF TRUSTEE REPRESENTATION BE BASED ON SOME MEASURE OF POPULATION.

The use of total population would be more consistent with democratic principles and with the practice of representation for other electoral systems in Canada (municipal, provincial, and federal). The use of the population of electors might preserve the symbolic association of representation with accountability to taxpayers.

A decision to base the apportionment of trustee representation on population would require a concomitant decision to conduct a triennial census in sufficient time to permit the determination to be made. At the present time, the census conducted in conjunction with enumeration does not occur early enough for this purpose.

Alternatively, if apportionment were based on the voting-age population, or the population of electors, a permanent voters list might be established. The determination of trustee representation could be made on the basis of this list and, during enumeration, changes could be made to ensure that all those entitled to vote had an opportunity to do so. These changes would not be of such proportions that they would affect apportionment.

We therefore recommend:

4.3 THAT POPULATION DATA, APPROPRIATE TO THE BASIS ESTABLISHED FOR THE DETERMINATION OF TRUSTEE REPRESENTATION, BE COLLECTED IN SUCH A MANNER AND AT SUCH A TIME AS TO PERMIT IT TO BE USED FOR THE PURPOSES OF APPORTIONMENT.

The use of population data in isolation would not recognize or correct the difficulties experienced by trustees who represent areas of relatively low density or a multiplicity of municipalities over a relatively large geographical area. This study has shown that imbalances in the distribution of population do exist in a high proportion of school board jurisdictions and that there is a number of school boards on which trustees represent a large number of municipalities.

The second criterion for a feasible and acceptable alternative basis for trustee determination was that the method not only be equitable but be perceived to be so. The implication of this second criterion was that it might be necessary to guarantee minimum levels of representation for identifiable minority interests (religious, linguistic, or territorial). The scope of the present study does not permit us to discuss the linguistic issue. At the present time, legislation does provide for minimum representation of separate school supporters on public boards of education, and the prospect of extended funding for the separate school system means that this dimension may have to be considered in a different context from that provided by the simulations conducted as part of this study. The territorial issue, however, remains and affects public boards of education (both the public and separate school trustee complements, independently of each other) and separate school boards.

We therefore recommend:

4.4 THAT THE METHOD ADOPTED TO APPORTION TRUSTEE REPRESENTATION TAKE ACCOUNT OF PROBLEMS ASSOCIATED WITH RELATIVELY LOW DENSITY AND/OR REPRESENTATION OF A LARGE NUMBER OF MUNICIPALITIES.

FOUR ALTERNATIVE METHODS OF DETERMINING TRUSTEE REPRESENTATION

There are four alternative methods of determining trustee representation that would be consistent with the second and fourth conclusions. Two are based upon a combination of total population (the voting-age population or population of electors could be used) and a density factor. Two are based upon a combination of total population (the voting-age population or population of electors could be used) and an Area factor.

The four alternative methods are:

1. Population, with double entitlement to representation given to the populations of those municipalities the density of which is less than 50 per cent of the overall density of the relevant population of the school board jurisdiction.

   This method would generate additional trustee positions in those municipalities with relatively lower density.

2. Population, with double weight given to the populations of those municipalities the density of which is less than 50 per cent of the overall density of the relevant population of the school board jurisdiction.

   This method would redistribute trustee representation and would not alter the total number of trustees to be elected.

3. Population given nine-tenths weight and Area given one-tenth weight.

4. Population and the Log (base 10) of the Area given equal weight.

Each of these methods is feasible, and is based on information which is either currently available or could be obtained on a regular and predictable basis. Each can be defended as being equitable and, in taking account of special problems associated with distance and the representation of multiple municipalities, can be perceived to be equitable. Each is a relatively stable method such that changes in the distribution of trustee positions would reflect real and persistent changes in the makeup or distribution of population; each is relatively immune to fluctuations resulting from transitory effects.

The four alternatives have been listed in the order which reflects their conformance to these criteria. The first of them, having the potential to generate additional trustee positions and being based on a density factor, is the most desirable. It would recognize problems associated with low density, distance, and multiplicity of municipalities, without diminishing the representation of other municipalities. The use of a density factor means that the formula would be self-adjusting as these problems diminished, increased, or otherwise changed.

The use of density in conjunction with population would result in a method which is sensitive to changes in population distribution and to changes in the types of problems that give rise to the need for a factor to modify the outcome that would be derived from population alone. As any imbalance in population distribution diminished, so too would the impact of the modifying factor. Because these methods would involve the use of two elements, each of which would need to be calculated each time a determination was made, these methods would be more complicated.

The use of an Area factor in conjunction with population would result in a method which is less sensitive to changes in population distribution and not sensitive to changes in the problems that give rise to a need for a factor to modify the effects of using population on its own. Because Area is a constant (unless school board or municipal boundaries are changed), the Area factor would continue to have an effect on the apportionment of trustee positions regardless of changes in population distribution. The Area factor could, however, be calculated once and applied each time a determination was made - only the basic population calculation would have to be made each time. If either of the methods using an Area factor were adopted, it would be advisable to review the formula from time to time to ensure that only the intended modifying effects occurred and that other inequities had not developed. The density factors are "self-correcting" because their impact changes with changes in population distribution.

The simulations conducted in this study have addressed the question of feasible and acceptable alternatives to the use of residential and farm assessment as the basis for determining trustee apportionment and have led to a number of conclusions:

4.1 That equalized residential and farm assessment be discarded as the basis for apportioning trustee representation for school boards in the Province of Ontario;

4.2 That the determination of trustee representation be based on some measure of population;

4.3 That population data, appropriate to the basis established for the determination of trustee representation, be collected in such a manner and at such a time as to permit it to be used for the purposes of apportionment; and

4.4 That the method adopted to apportion trustee representation take account of problems associated with relatively low density and/or representation of large numbers of municipalities.

Chapter Five

Summary and Conclusions

CHAPTER 5: SUMMARY AND CONCLUSIONS

In terms of historical standards or standards derived from the experiences of other Canadian provinces and a sample of U.S. cities, Ontario boards of school trustees appear to serve their society quite well. Although the percentage of eligible voters who vote in Ontario school boards elections is not high, and in many areas little competition occurs for seats on the boards, evidence suggests these shortcomings are common with school boards in other jurisdictions. Indeed, Ontario's situation appears better than many, and participation in elections is at least high enough to maintain the stability of the system. Equally on the positive side, only about three per cent of all elementary and secondary students in Ontario are enrolled in private schools, a rather low figure when compared with many other jurisdictions; that figure indicates that parents are relatively satisfied with the quality of education being provided by public and separate school boards.

Nevertheless, problems have been reported and confirmed about the ways in which trustees are distributed among communities within a given school board. Many of the problems seem avoidable. In addition, the current mechanism for apportionment, equalized residential and farm assessment, seems faintly patrician and archaic in a popular democracy, a conclusion verified by political theory and by political development in Canada, including the attitudes of various publics. Democratic theory does not suggest that inequities in assessed wealth should affect access to, and control of, government.

Based upon a series of case studies in which trustees, school administrators, and municipal officials were interviewed, and upon a number of simulations of alternative schemes (using criteria such as population, municipal area, and population density), a number of recommendations were formulated. If implemented, we believe these recommendations will improve the effectiveness, legitimacy, and support of boards of school trustees as elected bodies responsible to the people. The recommendations are repeated here, grouped into four different categories relating to the process of forming electoral districts, the number of positions in each electoral district, the character of electoral districts, and the criterion used to apportion trustee seats to municipalities. We do not see these recommendations as a sharp break from Ontario's long past - such a break would not be justified.

PROCESS OF FORMING ELECTORAL DISTRICTS

The current method of forming electoral districts is flawed in a number of ways. The process is not timely, being completed too near to election dates for candidates to plan their campaigns adequately or to file, and be heard on, appeals of apportionments. Often, the clerks who do the apportionment lack sufficient knowledge of school communities to design electoral districts that conform to the political and social geography of school systems. Four recommendations are made to improve this situation (numbering is the same as in chapter 2):

2.1 That reapportionment be carried out in the calendar year preceding an election year in order to permit adequate time for appeals and preparation for an election.

2.2 That reapportionment be the joint responsibility of the Director of Education of the given school system in the area and the clerk of the county, region, or largest municipality in the jurisdiction, who shall provide to the respective school board, for its consideration and decision, three alternatives for reapportionment of trustee representation, by December 31st of the calendar year preceding an election.

2.3 That guidelines be prepared by the Ministry of Education to assist directors and clerks in the task of reapportioning trustee positions, and that workshops be held to inform personnel on all aspects of apportionment objectives and procedures.

2.13 That the methodology used for choosing a trustee to represent Native Canadians continue to be decided by Bands within the school district.

NUMBER OF POSITIONS

While not a focus for the study, the number of trustees representing different groups was an issue that did arise repeatedly. Particular problems seem to emerge when more representation for one group is given at the cost of another group. As well, in at-large elections, generally only the most familiar names and best-established trustees are likely to win. Often, the number of candidates is exceedingly large, and new contestants, perhaps expressing the innovative ideas of minorities within a system, have an arduous task in taking their messages to thousands of voters. Although a stable political system is desirable, one incapable of at least moderate change is not.

2.11 That where, due to population imbalance, minority groups, i.e., Anglophones, Francophones, and Native Canadians, would lack an opportunity to have their interests effectively represented at board meetings, the "add on" principle be employed to ensure a minority-group voice in deliberations.

2.12 That a single representative be accorded to a minority group, i.e., Anglophones, Francophones, and Native Canadians, under recommendation 2.11, and that further representation be in keeping with allocations based on formulas normally used for apportionment.

2.5 That elections be held within electoral districts for which a maximum of two trustees may be elected.

CHARACTER OF ELECTORAL DISTRICTS

Often, it unfortunately seems the case that electoral maps are jigsaw puzzles whose pieces have been designed to foster confusion. A given separate school supporter may elect trustees to a separate school board in one county and trustees to a public board of education in another county. Noncontiguous municipalities may be included in one election district, and a single community split between two different districts. In some cases, problems may be unavoidable. However, we are convinced that reforms can reduce many of these aggravations.

2.6 That electoral districts include contiguous municipalities, or parts thereof, in a manner that represents communities in the minds of electors.

2.14 That, in order to foster stability of representation and identification, boundaries of boards of education and Roman Catholic separate school boards be coterminous wherever possible.

2.9 That, in order to provide flexibility in the construction of electoral districts, variances up to 10 per cent in the values of the criteria used for determining representation be permitted among districts within a jurisdiction.

2.10 That, where traditionally a community or municipality has been represented by a trustee, every attempt should be made to provide that unit with representation, either (a) through the allocation of a position, even where numbers fail to justify a full trustee, or (b) through the creation of an electoral district identified with the community by combining areas centred on that community.

2.4 That, where possible, the concept of "community of interest" be fostered by defining compact, contiguous wards for which trustees are elected.

2.8 That, were the "communities of interest" are, for the most part, centred on school catchment areas, the electoral districts be structured to encompass those areas.

2.7 That it be acknowledged that the fashioning of electoral districts to recognize "communities of interest" may require the breaching of municipal boundaries.

Some may fear that these recommendations concerning the character of electoral districts may encourage parochialism among trustees and discourage a commitment to the common good. We believe that this risk is worth taking, and believe citizens will use their votes in an intelligent fashion, electing "good" trustees. And with a strong Ministry of Education representing the interests of the public, we believe a key task of school boards is to ensure that smaller communities have an adequate opportunity to be heard. Further, we hold that these small communties should not be completely subordinated to the interests of larger ones.

Thus, while we believe in majority rule as a procedural principle, we reject unrestricted "majoritarianism".

DISTRIBUTION OF TRUSTEES

The present system of distributing trustees is based on the value of each municipality's equalized farm and residential assessment. We have described already some of the shortcomings of this approach, noting the volatility of assessment and its lack of theoretical justification in a popular democracy where all persons are created equal. The only justification for maintaining this approach would be that no better choice existed. We believe that the simulations carried out using other variables - population, area, and density - illustrate that this is not the case; there are other variables that can be employed in a manner that represents people more equitably. Alternatives can be developed that retain the benefit that assessment has for providing extra voice to areas where, due to the nature of the local economy, population density is low (numbered as at the end of chapter 4):

4.1 That equalized residential and farm assessment be discarded as the basis for apportioning trustee representation for school boards in the Province of Ontario.

4.2 That the determination of trustee representation be based on some measure of population.

4.3 That population data, appropriate to the basis established for the determination of trustee representation, be collected in such a manner and at such a time as to permit it to be used for the purposes of apportionment.

4.4 That the method adopted to apportion trustee representation take account of problems associated with relatively low density and/or representation of large numbers of municipalities.

We do not recommend a specific population basis or a single distribution formula. Two types of population were considered: (1) total population of supporters (public or separate) and their dependants, or (2) the total population of electors for a given system. We tend to favour the first, because the total population emphasizes that trustees are responsible to the whole community, even to those too young to vote. However, because the second option gives results that are closer to the present system, the total population of electors may be a basis that is more easily implemented, resulting in fewer major changes. Equally important may be the availability of the data. As recommendations 2.1 and 4.3 stress, the required data must be available almost a year before such elections.

Four formulas are ranked for consideration. The first exploits a combination of total population and density to add trustees where density is low. The second is similar but redistributes a fixed number of trustees in order to favour low-density areas. The third is a weighted average of the trustee allocations that result from drawing upon total population and area separately for allocating positions. The final choice uses total population times the logarithm (base 10) of the area of a municipality as the basis for allocating positions.

Given our recommendation 2.11, supporting use of the "add on" principle, we prefer the first choice above (the combination of total population and density), but note that the third choice (the weighted average) could also be adapted to this principle. We suspect people would react negatively to using the fourth approach, dependent as it is on a mathematical function with which many are not familiar. That is, we see voters' attitudes to be as important, at this stage, as the particular results a formula yields because, in our view, all four are adequate for the purpose. Further, the recommendation in 2.9 (that a 10 per cent margin of variability be permitted) means that the particular formula will be somewhat less important than at present.

LIMITATIONS AND CONCLUSION

The argument may be made that Ontario school boards would be more representative of their electorates if more responsive trustees were elected. The importance of "good" people is appreciated, but the thrust of this study has been that the effectiveness of such individuals can be facilitated by good processes and structures.

The 18 recommendations in this report do not resolve all structural and process issues facing Ontario in the field of educational governance. In particular, the passage of Bill 30 (providing funding to Roman Catholic high schools) would result in a decrease in the number of trustees sitting on boards of education, as is displayed in the first column of table 4.1. Presently, the boards of education in our sample ranged from 14 to 20 trustee positions, but after Bill 30 this range would be from 4 to 17. At the same time, Bill 75 (French governance) would see trustees added or redistributed. To illustrate these effects and, perhaps, to suggest alternatives, a study complementary to the present one is being prepared in which the effects of the two bills are studied in conjunction with the new apportionment formulas we have suggested.

At least two other issues concerning educational governance also deserve further discussion, namely, the size of school systems and the way in which school systems (especially very large ones) respond to the needs and demands of school communities. Our impression is that school systems with long-term projected enrolments in excess of 40 000 pupils may be too large. In such a system, each trustee must face the realities of changing a massive enterprise while communicating with 10 000 or more constituents. For a better quality of relationship between citizen and trustee, we wonder if reducing such systems to a more "human scale" might not be in order.

The second concern is, clearly, related to this issue. Are school systems responsive enough to the desires and needs of individual families and neighbourhood communities? Locally, this theme is well developed in The Report of the Commission on Private Schools in Ontario, in which the Commissioner, Bernard J. Shapiro, comments, "the bureacracy and administration of publicly funded schools tended to be distant and cool except to the most aggressive of parents..."(p. 58). He proceeds to recommend the formation of school committees to improve communication between schools and the communities they serve directly.

We must admit that the two concerns voiced above are our concerns, not those expressed by most of the trustees and administrators interviewed. For the most part, they believed that they were serving the needs of their constituencies well, although they often emphasized that the welfare of the whole system came before the interests of individual schools or municipalities within their system. We came to ponder if it might not be possible to abuse local communities' interests and rights in the pursuit of the collective good, noting that protecting "society" is often used as the justification for denying individual rights.

We raise these issues, then, to emphasize that our recommendations are not put forth as the last word on educational governance in Ontario, but as modest suggestions for resolving a number of outstanding issues. We believe they can be carried out independently of other, more complex social concerns that deserve further attention in their own right. Finally, we acknowledge that our recommendations would not give the best of all worlds, but they would give better results in most respects than what we have now in educational governance. They would do this with relatively little effort and few problems - which, in an imperfect world, is about as much as we can hope for.

Biographies of Contributors

BIOGRAPHIES OF CONTRIBUTORS

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ERNEST EPP has been an educator for more than 20 years most recently as executive assistant for the Saskatchewan School Trustees' Association, acting head of Psychology and lecturer in the Faculty of Education at the University of Regina. He holds a doctorate in Educational Administration from OISE and his major research interests are organizational psychology and school board and municipal government decision-making and policy development.

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KEN WOODLEY has been a Manitoba educator for 17 years and has held the positions of teacher, counsellor, principal, and superintendent of schools. He is currently a Senior Consultant with the Manitoba Department of Education. He holds a doctorate in Educational Administration and has a special interest in school board governance and policy making.

Appendix 1

Specifics of Trustee Determinations

Appendix 1:

SPECIFICS OF TRUSTEE DETERMINATIONS

A. DIVISIONAL BOARDS

1. Elections in Defined City Boards:

There are three ways in which public school trustees can be elected in defined cities - one by general vote and two ward-system options:

a. General Vote of Public School Electors

The number of members determined by the population of the municipality is as follows:

Population	Number of Members	
Less than 10 000	6	
10 000 - 49 999	8	
50 000 - 99 999	10	
100 000 or more	12	(section 57(1))

b. Ward System with Trustees Elected by Ward Electors

(i) Two trustees may be elected by and for each ward (section 58(1)). Each voter has one vote.

(ii) One trustee may be elected by and for each ward where the city is divided into five or more wards (section 58(2)).

Separate school electors elect members to sit on the public school board according to the following formula:

$$\text{MEMBERS ELECTED BY SEPARATE SCHOOL ELECTORS} =$$

$$\begin{array}{l} \text{NUMBER OF MEMBERS} \\ \text{TO BE ELECTED BY} \\ \text{PUBLIC SCHOOL} \\ \text{SUPPORTERS} \end{array} \times \frac{\begin{array}{l} \text{RESIDENTIAL \& FARM ASSESSMENT OF THE} \\ \text{PROPERTY RATEABLE FOR SEPARATE SCHOOL} \\ \text{PURPOSES IN THE DEFINED CITY} \end{array}}{\begin{array}{l} \text{RESIDENTIAL \& FARM ASSESSMENT OF THE} \\ \text{PROPERTY RATEABLE FOR PUBLIC SCHOOL} \\ \text{PURPOSES IN THE DEFINED CITY} \end{array}} \quad [1]$$

A minimum of two members (section 57(3)) must be elected by separate school supporters either by a general vote or by areas (similar to a ward system)(section 59(23)).

In defined cities, the board of education has the right to determine which options to choose for electing members. In order to change the system of election of members elected by public school electors, the board of education must pass a resolution by majority vote of members elected by public school electors and give notice of this change to the city clerk (section 58(3)). However, the previous method of election must have been in place for at least two regular terms (section 58(5)). In order to have the board members elected by separate school electors, elected by areas, the board must make a request to the municipal council to pass a by-law dividing the municipality into two or more areas for such purposes (section 59(23)).

2. Elections in Boards other than Defined City Boards:

The approach to electing trustees to these boards is to allocate the number of board members on the basis of equalized residential and farm assessment of the constituent subgroups - first by separating public and separate school support, then by apportioning representation to the cities, and then on the basis of distribution of equalized residential and farm assessment in the remainder of the area of the board's jurisdiction.

a. Determining the number of members to be elected The total number of members elected to the board is determined by the total population of the municipalities in the area (territories without municipalities that are deemed district municipalities are excluded from the population count). Smaller boards (territorial districts where there are fewer than four municipalities) are distinguished from larger boards for determining the number of members. The number of members to be elected is determined by population categories as follows:

Population		Number of Members	
Smaller Boards:	Less than 3 500	5	
	3 500 - 4 999	8	
	5 000 - 10 000	10	
Larger Boards:	Less than 50 000	14	
	50 000 - 99 999	16	
	100 000 - 149 999	18	
	150 000 or more	20	(section 59(2))

b. Number of members elected by Public and Separate School Supporters Public school supporters elect the number of members to sit on the board according to the following formula:

$$\text{NUMBER OF MEMBERS TO BE ELECTED BY PUBLIC SCHOOL SUPPORTERS} =$$

$$\text{TOTAL NUMBER OF MEMBERS ELECTED TO THE BOARD} \times \frac{\text{EQUALIZED RESIDENTIAL AND FARM ASSESSMENT OF THE PROPERTY RATEABLE FOR PUBLIC SCHOOL PURPOSES}}{\text{EQUALIZED RESIDENTIAL AND FARM ASSESSMENT OF ALL THE RATEABLE PROPERTY IN THE SCHOOL DIVISION}} \quad [2]$$

A minimum of four members must be elected by public school electors in boards of education with fewer than 14 trustees and a minimum of six members must be elected by public school electors where the board is to consist of 14 or more trustees (section 59(4)).

The separate school supporters elect the number of members according to the formula:

NUMBER OF MEMBERS TO BE ELECTED BY SEPARATE SCHOOL SUPPORTERS =

$$\begin{array}{l}\text{TOTAL NUMBER OF}\\ \text{MEMBERS ELECTED}\\ \text{TO THE BOARD}\end{array} \times \frac{\begin{array}{l}\text{EQUALIZED RESIDENTIAL AND FARM}\\ \text{ASSESSMENT OF THE PROPERTY RATEABLE}\\ \text{FOR SEPARATE SCHOOL PURPOSES}\end{array}}{\begin{array}{l}\text{EQUALIZED RESIDENTIAL AND FARM}\\ \text{ASSESSMENT OF ALL THE RATEABLE}\\ \text{PROPERTY IN THE SCHOOL DIVISION}\end{array}} \qquad [3]$$

A minimum of one member must be elected by separate school supporters (section 59(5)).

c. Number of City and County and District Members Elected by Public School Supporters

To determine the number of members elected by each of the cities, the following formula is applied:

NUMBER OF MEMBERS TO BE ELECTED BY EACH CITY =

$$\begin{array}{l}\text{TOTAL NUMBER OF}\\ \text{MEMBERS ELECTED}\\ \text{BY PUBLIC SCHOOL}\\ \text{SUPPORTERS}\end{array} \times \frac{\begin{array}{l}\text{EQUALIZED RESIDENTIAL AND FARM}\\ \text{ASSESSMENT OF THE PROPERTY RATEABLE}\\ \text{FOR PUBLIC SCHOOL PURPOSES IN THE}\\ \text{CITY}\end{array}}{\begin{array}{l}\text{EQUALIZED RESIDENTIAL AND FARM}\\ \text{ASSESSMENT OF ALL THE PROPERTY FOR}\\ \text{PUBLIC SCHOOL PURPOSES IN THE SCHOOL}\\ \text{DIVISION}\end{array}} \qquad [4]$$

If a city does not merit representation under formula [4], it is treated as a county or district municipality (section 59(8)).

To determine the number of members elected by the county or district municipalities, the following method is applied:

NUMBER OF MEMBERS TO BE ELECTED BY THE COUNTY OR THE DISTRICT MUNICIPALITIES =

$$\begin{array}{l}\text{TOTAL NUMBER OF MEMBERS}\\ \text{TO BE ELECTED BY PUBLIC}\\ \text{SCHOOL SUPPORTERS}\end{array} - \begin{array}{l}\text{SUM TOTAL OF THE NUMBER OF}\\ \text{MEMBERS TO BE ELECTED BY THE}\\ \text{CITIES}\end{array} \qquad [5]$$

A minimum of one county or district municipality member must be elected and if there are fewer than four area municipalities in the divisional board of a school division that comprises

a regional municipality, a minimum of two rural members must be elected from the area municipality (section 59(6)).

With appropriate modifications to the formula by substituting separate school supporters for public school electors, the same approach is used in determining the number of members representing separate school electors. This method is applied to each city, and county, or district municipality when more than one representative is to be elected in a school division which includes one or more counties or district municipalities (section 59(26)).

The municipalities to be represented by members elected by trustees for public school electors in county municipalities or district municipalities as determined in accordance with formula [5] are determined by the individuals indicated in table A1.1.

Table A1.1:

Types of School Divisions and Parties Responsible for School Board Determinations

FOR SCHOOL DIVISIONS CONSISTING OF	PERSON TO MAKE DETERMINATIONS FOR (1) TOTAL BOARD SIZE, (2) PUBLIC/SEPARATE DIVISION, (3) CITY/NON-CITY MUNICIPALITY DIVISION	RESPONSIBILITY TO DETERMINE COUNTY MUNICIPALITY OR DISTRICT REPRESENTATION
1 A county	Clerk of the county (59(20)(a))	Council of the county (59(9)(a))
2 (a) Regional municipality or	Clerk of the regional municipality (59(20)(b))	Clerks of the 3 county municipalities with the largest equalized residential & farm assessment for public school purposes (59(9)(b))
(b) A county and a part of a regional municipality	Clerk of the county (59(20)(a))	
3 District municipalities	Clerk of the organized district municipality with the greatest equalized residential and farm assessment for public school purposes	Clerks of the 3 organized district municipalities with the largest equalized residential and farm assessment for public

FOR SCHOOL DIVISIONS CONSISTING OF	PERSON TO MAKE DETERMINATIONS FOR (1) TOTAL BOARD SIZE, (2) PUBLIC/SEPARATE DIVISION, (3) CITY/NON-CITY MUNICIPALITY DIVISION	RESPONSIBILITY TO DETERMINE COUNTY MUNICIPALITY OR DISTRICT REPRESENTATION
	or, where there is no organized district municipality in the school division, the clerk of the city with the greatest residential and farm assessment for public school purposes. (59(20)(c))	school purposes (If less than 3, the clerks of all such municipalities) and the clerk of each town or village where there is a secondary school (59(9)(c))

The member(s) elected in county or district municipalities may not be elected at large (e.g., by combining all the county or district municipalities to elect two or more members) but must be elected from specified and defined areas. The members are to be apportioned as nearly as practicable in the following ratio:

$$\frac{\text{EQUALIZED RESIDENTIAL AND FARM ASSESSMENT FOR PUBLIC SCHOOL PURPOSES OF THE MUNICIPALITY(IES)}}{\text{THE TOTAL EQUALIZED RESIDENTIAL AND FARM ASSESSMENT FOR PUBLIC SCHOOL PURPOSES IN ALL THE COUNTY OR DISTRICT MUNICIPALITIES IN THE SCHOOL DIVISION}} \qquad [6]$$

When municipalities are combined, municipalities that adjoin are to be combined if practicable. The apportionment to combined municipalities is to be done as nearly as is practicable in the ratio of the equalized residential and farm assessment for property rateable for public school purposes of the combined area to the total equalized residential and farm assessment for property rateable for public school purposes in all the county or district municipalities in the school division (section 59(16)).

Where the number of trustees to be elected by public school electors to a municipality or a combination of municipalities, when expressed as a percentage of the total number of trustees to be elected by public school electors to all the county or district municipalities within the

school division, differs by more than five percentage points from the percentage that the equalized residential and farm assessment of the property rateable for public school purposes in the municipality or combination of municipalities is of the total equalized residential and farm assessment of the property rateable for public school purposes in all the county and district municipalities within the school division, the council of the municipality, or the council of any one of the combined municipalities, may appeal the determination to a judge. The judge's decision on the appeal is final (section 59(8)).

The allocation of the number of members to be elected by separate school electors from county and district municipalities (section 59(27)) and the process of combining, of allocating, and of adjusting that apply in the case of members to be elected by public school electors (section 59(18)) are determined in the same manner using appropriate modifications relative to school support.

If only one member is to be elected by separate school electors in a school division, or in a county, or district municipality, the member is elected by a general vote of the separate school supporters of the school division or municipality (section 59(29)).

Elections of members of a divisional board are conducted by the same officers and in the same manner as elections of members of the council of a municipality (section 59(32)).

B. BOARDS OF EDUCATION

A board of education, other than a divisional board of education, can be established in a secondary school district that is not a school division to be a secondary school board and a public school board for the district (section 60(1)(29)).

The trustees are elected at large on the same population-trustee ratio as in defined city boards:

Population	Number of Members	
Less than 10 000	6	
10 000 - 49 999	8	
50 000 - 99 999	10	
100 000 or more	12	(section 57(1))

The number of members elected by the separate school supporters is also the same; however, the minimums established are not fewer than two members, if the population is more than 50 000, and one member, if the population is less than 50 000 (section 61).

C. DISTRICT SCHOOL AREA BOARDS

District school area boards are public school boards that are established in parts of the territorial districts that are not included in a school division or designated as a school

section on tax exempt lands (section 62). As of January 1, 1985, there were 27 district school area boards in Ontario (Directory of School Boards, 1985, p. 17). A district school area board normally consists of three members (section 64(2)), but five members shall be elected if, in 1975, there were five members on the board of the school section which became a school district area (section 64(3)) or may be elected if a resolution is approved at a meeting of the public school electors of the district. This increase from three to five members by resolution does not apply to improvement districts (section 64(4)).

District school area boards may be elected either at a meeting of public school electors held on the second Monday of November in an election year (section 65) or in the same manner as for divisional boards except that all members must be elected at large (section 66). In order to choose the second option, the district shcool area board must pass a resolution which must be approved at a meeting of public school electors.

Where two or more district school areas are combined into one district school area by regulation by the Lieutenant-Governor in Council, regulations can also be made specifying the number of members to be elected, which areas they should represent, and when, where, and how they are to be elected (section 66(a)).

D. COUNTY AND DISTRICT COMBINED ROMAN CATHOLIC SEPARATE SCHOOL BOARDS

The number of trustees to be elected to county or district combined separate school boards is determined on the basis of total population in the area that comprises the county or district combined separate school zone. The determination is in accordance with the following table.

Population	Number of Members	
Less than 25 000	8	
25 000 - 44 999	10	
45 000 - 99 999	12	
100 000 - 199 999	14	
200 000 or more	16	(section 113(2))

The following formula based on equalized residential and farm assessment for separate school purposes is used to determine the number of representatives of each city.

NUMBER OF MEMBERS TO BE ELECTED BY EACH CITY =

$$\text{TOTAL NUMBER OF TRUSTEES TO BE ELECTED} \times \frac{\text{EQUALIZED RESIDENTIAL AND FARM ASSESSMENT OF THE PROPERTY RATEABLE FOR SEPARATE SCHOOL PURPOSES IN THE CITY}}{\text{EQUALIZED RESIDENTIAL AND FARM ASSESSMENT OF ALL PROPERTY RATEABLE FOR SEPARATE SCHOOL PURPOSES IN THE COUNTY OR DISTRICT COMBINED SEPARATE SCHOOL ZONE}}$$

[7]

To determine the number of trustees for county or district municipalities, the total number of trustees to be elected from the city in formula [7] above is subtracted from the total number of trustees for the combined or separate school boards. A minimum of one trustee must be apportioned under this section (section 113(4)(b)) to the county and district municipalities.

The person responsible for making the determination of the number of members on the board and the division between the city and the county or district municipalities is:

(a) the clerk of the county municipality;
(b) the clerk of the organized district municipality; or
(c) the clerk of the city having the greatest equalized residential and farm assessment for separate school purposes in an area where there is no organized district municipality in the district combined separate school zone. (section 113(5))

The same principles used for such determinations for the divisional boards are used in respect of the county and district combined Roman Catholic separate school boards using equalized residential and farm assessment for separate school purposes:

1. A city which does not merit a representative is treated as a county or district municipality (section 113(7)).

2. The three clerks of the organized district municipalities with the largest equalized residential and farm assessment for separate school purposes in the county or district combined zone (if fewer than three, then all clerks of such municipalities) determine the county or district municipalities to be represented by the trustees. Except where only one member is to be elected from the county or district municipalities, the grouping of such municipalities must ensure that there is no election by general vote in all of the municipalities (section 113(8)).

3. Where the determination made by the clerks of the county or district municipalities under section 113(8), allots to a municipality or a combination of municipalities a percentage of the total number of trustees to be elected by the separate school electors of all the county or district municipalities in the combined separate school zone, that differs by more than five percentage points from the percentage that the equalized residential and farm assessment of the property rateable for separate school purposes in the part of such zone in the municipality or combination of municipalities is of the total equalized residential and farm assessment of the property rateable for separate school purposes in the whole of such zone, the council of the municipality or the council of any municipality of the combined municipalities may appeal the determination to a judge (section 113(14)).

4. Trustees to be elected in municipalities are to be elected by a general vote, unless there are two or more trustees to be elected, in which case the board can request the council of

the municipality to pass a by-law dividing the municipality into two or more areas (section 113(19)).

Special provisions are made for the Ottawa-Carleton Area. In section 116, the Ottawa Roman Catholic Separate School Board is established to consist of the cities of Vanier and Ottawa and the village of Rockcliffe Park, and is to function as a county combined separate school board. Sixteen trustees are to be elected, with Ottawa and Rockcliffe Park combined as one unit.

$$\text{NUMBER OF MEMBERS TO BE ELECTED BY OTTAWA AND ROCKCLIFFE PARK} = 16 \times \frac{\text{EQUALIZED RESIDENTIAL AND FARM ASSESSMENT OF THE PROPERTY RATEABLE FOR SEPARATE SCHOOL PURPOSES IN OTTAWA AND ROCKCLIFFE PARK}}{\text{EQUALIZED RESIDENTIAL AND FARM ASSESSMENT OF ALL THE PROPERTY RATEABLE FOR SEPARATE SCHOOL PURPOSES IN THE COMBINED SEPARATE SCHOOL ZONE}} \qquad [8]$$

The number of members to be elected in Vanier is

$$16 - \text{THE NUMBER OF TRUSTEES TO BE ELECTED IN OTTAWA AND IN ROCKCLIFFE PARK} \qquad [9]$$

At least one member must be elected in Vanier (section 116(4)). The trustees are to be elected by a general vote within each of the two areas.

The separate school zones in the remainder of the municipalities in the area comprising the Regional Municipality of Ottawa-Carleton are combined in a county combined separate school zone the board for which is called The Carleton Roman Catholic Separate School Board. Trustees elected to this board are determined in accordance with the provisions relative to other county or district combined Roman Catholic separate school boards (section 117).

The City of Windsor is not included in the County of Essex for county combined separate school board purposes (section 118), meaning that there is a separate school board for the city alone.

E. ROMAN CATHOLIC SEPARATE SCHOOL BOARDS

1. Urban Roman Catholic Separate School Boards:

Urban separate school boards may be formed in areas not within a county or district combined Roman Catholic separate school zone.

The number of trustees to be elected to an urban separate school board is based on the population of the community:

Population	Number of Members
Less than 10 000	6
10 000 - 49 999	8
50 000 - 99 999	10
100 000 or more	12 (section 90(2))

Trustees are elected by a general vote of separate school supporters (section 90(1)) or in a municipality which is divided into wards - two trustees per ward, or if more than five wards, one trustee for each (section 91). The method of election, having been in place for two terms, may be changed if the resolution by the board for such a change has been voted in the affirmative by the separate school electors of the urban municipality (section 92(1)(3)). Every person eligible to be a separate school elector in an urban municipality may vote at the election (section 93(2)) and supporters of the separate school in an urban municipality who live outside that municipality can vote in the closest ward or polling station to their residence in which there is a separate school (section 96).

2. Rural Roman Catholic Separate School Boards:

Rural separate school boards may be formed in the territorial districts that are not part of a district combined Roman Catholic separate school zone.

Boards for rural separate school zones consist of three elected trustees (section 97(1)) and the elections are held at a meeting of the separate school supporters on the second Monday of an election year at a time and place selected by the board (section 100(2)). A poll may be demanded by two supporters of the school at the meetings for election of trustees (section 100(7)), and each voter is entitled to as many votes as there are trustees to be elected but may not vote more than once for any one candidate (section 100(10(a)).

Where the centre of a rural separate school board zone is in a municipality, the board may pass a resolution, which must be approved at a meeting of supporters, that the election of trustees to the board be conducted under the Municipal Elections Act. In this case, trustees are elected by a general vote of separate school electors of the separate school zone (section 101).

3. Combined Roman Catholic Separate School Boards:

Combined Roman Catholic separate school boards may be formed in areas not within a county or district combined Roman Catholic separate school zone.

If a combined separate school board includes one or more urban municipalities, the board is deemed an urban combined separate school zone. The regulations that apply to urban separate schools take effect. Two options exist for determining the number of trustees:

(a) the number of trustees may be based on the population of the largest municipality in the union (section 103(4)); or

(b) five to nine trustees (the number passed by a resolution of the board) representing various municipalities, parts of municipalities, or separate school zones in territories without municipal organization may be elected.

These trustees are elected at large within the areas they represent; and in any municipality divided into wards, a resolution may be passed for representation by wards (section 103(5)(6)). The returning officer in the case where one or more trustees represent two or more areas is from the area having the greatest equalized residential and farm assessment for separate school purposes (section 103(7)).

There are 8 rural Roman Catholic separate school boards in the province, all in Northern Ontario and two combined separate school boards, one in Northern Ontario and one in Southern Ontario. Both combined separate school boards are rural combined boards.

F. PROTESTANT SEPARATE SCHOOL BOARDS

Protestant separate schools may be established in areas where the public school(s) in the municipality have Roman Catholic teachers (section 137(3)). Trustees of a Protestant separate school board are elected in the same way as trustees of a Roman Catholic separate school board if such were to be established in the same municipality (section 144(2)). On January 2, 1985, there were two Protestant separate school boards in Ontario, one in Douglas and one in Penetanguishene (Directory of School Boards, 1985, p. 14).

G. BOARDS ON TAX-EXEMPT LAND

The Minister may decide to establish a public school section (section 70(1)) or a secondary school district (section 70(2)) on land held by Ontario, Canada, their agencies, or lands exempt from taxation for school purposes. The school boards formed for such sections or districts have jurisdiction in Department of National Defense areas, Ontario Hydro Centres, and in other areas not normally assessed for school purposes. In 1985, there were 11 such boards on Canadian Forces Bases and Stations, seven of which operate schools. Eight such boards operated schools in Hospitals and Treatment Centres. Ontario Hydro Centre has one board which does not operate a school (Directory of School Boards, 1985, pp. 15-6). The composition of the board in terms of numbers and persons to be appointed is at Ministerial discretion.

Appendix 2

Methodology

Appendix 2:
METHODOLOGY

Simulation #1: The Status Quo

Equalized residential and farm assessment was calculated by dividing the unequalized residential and farm assessment (for public school supporters, separate school supporters, and total assessment, broken down by municipality) by the published assessment equalization factor (AEF) and multiplying by 100.

$$\frac{\text{unequalized residential and farm assessment}}{\text{pubished assessment equalization factor}} \times 100 = \text{equalized residential and farm assessment}$$

1. Determination of the number of trustees to be elected by public school electors:

$$\text{Total number of member elected to the board} \times \frac{\text{equalized residential and farm assessment of the property rateable for public school purposes}}{\text{equalized residential and farm assessment of all the rateable property in the school division}}$$

2. Determination of the number of trustees to be elected by separate school electors:

$$\text{Total number of members elected to the board} \times \frac{\text{equalized residential and farm assessment of the property rateable for separate school purposes}}{\text{equalized residential and farm assessment of all the rateable property in the school division}}$$

3. Determination of the number of trustees to be elected by each city (public school electors):

$$\text{Total number of members elected by public school electors} \times \frac{\text{equalized residential and farm assessment of the property rateable for public school purposes in the city}}{\text{equalized residential and farm assessment of all the property rateable for public school purposes in the school division}}$$

4. Determination of the number of members to be elected by county or district municipalities (public school electors):

$$\text{Total number of members to be elected by public school electors} - \text{sum total of the number of members to be elected by public school electors in the cities}$$

5. Determination of the number of trustees to be elected by each city (separate school electors):

$$\text{Total number of members elected by separate school electors} \times \frac{\text{equalized residential and farm assessment of the property rateable for separate school purposes in in the city}}{\text{equalized residential and farm assessment of all property rateable for separate school purposes in the school division}}$$

6. Determination of the number of members to be elected by county or district municipalities (separate school electors):

$$\text{Total number of members to be elected by separate school electors} - \text{sum total of the number of members to be elected by separate school electors in the cities}$$

7. With appropriate modifications, the same approach is used to determine the distribution of members of the separate school board.

Simulation #2: Assessment-based distribution using the GLG AEF

Equalized residential and farm assessment was calculated by dividing the unequalized residential and farm assessment (for public school supporters, separate school supporters, and total assessment, broken down by municipality) by the assessment equalization factor (AEF) used in allocating general legislative grants (GLG) and multiplying by 100.

$$\frac{\text{unequalized residential and farm assessment}}{\text{GLG assessment equalization factor}} \times 100 = \text{equalized residential and farm assessment}$$

1. Determination of the number of trustees to be elected by public school electors:

$$\text{Total number of members elected to the board} \times \frac{\text{equalized residential and farm assessment of the property rateable for public school purposes}}{\text{equalized residential and farm assessment of all the rateable property in the school division}}$$

2. Determination of the number of trustees to be elected by separate school electors:

$$\text{Total number of members elected to the board} \times \frac{\text{equalized residential and farm assessment of the property rateable for separate school purposes}}{\text{equalized residential and farm assessment of all the rateable property in the school division}}$$

3. Determination of the number of trustees to be elected by each city (public school electors):

$$\text{Total number of members elected by public school electors} \times \frac{\text{equalized residential and farm assessment of the property rateable for public school purposes in the city}}{\text{equalized residential and farm assessment of all the property rateable for public school purposes in the school division}}$$

4. Determination of the number of members to be elected by county or district municipalities (public school electors):

$$\text{Total number of members to be elected by public school electors} - \text{sum total of the number of members to be elected by public school electors in the cities}$$

5. Determination of the number of trustees to be elected by each city (separate school electors):

$$\text{Total number of member elected by separate school electors} \times \frac{\text{equalized residential and farm assessment of the property rateable for separate school purpose in the city}}{\text{equalized residential and farm assessment of all property rateable for separate school purposes in the school division}}$$

6. Determination of the number of members to be elected by county or district municipalities (separate school electors):

$$\text{Total number of members to be elected by separate school electors} - \text{sum total of the number of members to be elected by separate school electors in the cities}$$

7. With appropriate modifications, the same approach is used to determine the distribution of members of the separate school board.

Simulation #3: Total Population

1. Determination of the number of trustees to be elected by public school electors:

$$\text{Total number of members elected to the board} \times \frac{\text{total population of public school supporters and dependants}}{\text{total population of the school division}}$$

2. Determination of the number of trustees to be elected by separate school electors:

$$\text{Total number of members elected to the board} \times \frac{\text{total population of separate school supporters and dependants}}{\text{total population of the school division}}$$

3. Determination of the number of trustees to be elected by each city (public school electors):

$$\text{Total number of members elected by public school electors} \times \frac{\text{total population of public school supporters and dependants in the city}}{\text{total population of public school supporters and dependants in the school division}}$$

4. Determination of the number of members to be elected by county or district municipalities (public school electors):

$$\text{Total number of members to be elected by public school electors} - \text{sum total of the number of members to be elected by public school electors in the cities}$$

5. Determination of the number of trustees to be elected by each city (separate school electors):

$$\text{Total number of members elected by separate school electors} \times \frac{\text{total population of separate school supporters and dependants in the city}}{\text{total population of separate school supporters and dependants in the school division}}$$

6. Determination of the number of members to be elected by county or district municipalities (separate school electors):

Total number of members to be elected by separate school electors - sum total of the number of members to be elected by separate school electors in the cities

7. With appropriate modifications, the same approach is used to determine the distribution of members of the separate school board.

Simulation #4: Voting-Age Population ("Electors")

1. Determination of the number of trustees to be elected by public school electors:

$$\text{Total number of members elected to the board} \times \frac{\text{voting-age population of public school supporters}}{\text{voting-age population of the school division}}$$

2. Determination of the number of trustees to be elected by separate school electors:

$$\text{Total number of members elected to the board} \times \frac{\text{voting-age population of separate school supporters}}{\text{voting-age population of the school division}}$$

3. Determination of the number of trustees to be elected by each city (public school electors):

$$\text{Total number of members elected by public school electors} \times \frac{\text{voting-age population of public school supporters in the city}}{\text{voting-age population of public school supporters in the school division}}$$

4. Determination of the number of members to be elected by county or district municipalities (public school electors):

$$\text{Total number of members to be elected by public school electors} - \text{sum total of the number of members to be elected by public school electors in the cities}$$

5. Determination of the number of trustees to be elected by each city (separate school electors):

$$\text{Total number of members elected by separate school electors} \times \frac{\text{voting-age population of separate school supporters in the city}}{\text{voting-age population of separate school supporters in the school division}}$$

6. Determination of the number of members to be elected by county or district municipalities (separate school electors):

$$\begin{array}{l} \text{Total number of members} \\ \text{to be elected by separate} \\ \text{school electors} \end{array} - \begin{array}{l} \text{sum total of the number of members} \\ \text{to be elected by separate school} \\ \text{electors in the cities} \end{array}$$

7. With appropriate modifications, the same approach is used to determine the distribution of members of the separate school board.

Simulation #5: Assessment and Population Averaged

The number/distribution of members to be elected under simulation #1 and the number to be elected under simulation #3 were averaged to illustrate the effect of using a combined method of determining the distribution of trustee representation.

1. Determination of the number of trustees to be elected by public school electors:

$$\text{Total number of members elected to the board} \times \frac{\left(\dfrac{\text{equalized residential and farm assessment of the property rateable for public school purposes}}{\text{equalized residential and farm assessment of all the rateable property in the school division}} + \dfrac{\text{total population of public school supporters and dependants}}{\text{total population in the school division}}\right)}{2}$$

2. Determination of the number of trustees to be elected by separate school electors:

$$\text{Total number of members elected to the board} \times \frac{\left(\dfrac{\text{equalized residential and farm assessment of the property rateable for separate school purposes}}{\text{equalized residential and farm assessment of all the rateable property in the school division}} + \dfrac{\text{total population of separate school supporters and dependants}}{\text{total population in the school division}}\right)}{2}$$

3. Determination of the number of trustees to be elected by each city (public school electors):

$$\text{Total number of members elected by public school electors} \times \frac{\left(\dfrac{\text{equalized residential and farm assessment of the property rateable for public school purposes in the city}}{\text{equalized residential and farm assessment of all the property rateable for public school purposes in the school division}} + \dfrac{\text{total population of public school supporters and dependants in the city}}{\text{total population of public school supporters and dependants in the school division}}\right)}{2}$$

4. Determination of the number of members to be elected by county or district municipalities (public school electors):

$$\text{Total number of members to be elected by public school electors} - \text{sum total of the number of members to be elected by public school electors in the cities}$$

5. Determination of the number of trustees to be elected by each city (separate school electors):

$$\text{Total number of members elected by separate school electors} \times \left(\dfrac{\text{equalized residential and farm assessment of the property rateable for separate school purposes in the city}}{\text{equalized residential and farm assessment}} + \dfrac{\text{total population of separate school supporters and dependants in the city}}{\text{total population of separate school}}\right)$$

of all the property rateable for separate school purposes in the school division	supporters and dependants in the school division

2

6. Determination of the number of members to be elected by county or district municipalities (separate school electors):

Total number of members to be elected by separate school electors	-	sum total of the number of members to be elected by separate school electors in the cities

7. With appropriate modifications, the same approach is used to determine the distribution of members of the separate school board.

IT IS IMPORTANT TO NOTE THAT IN THE SIMULATIONS INVOLVING AREA, THE DISTRIBUTION OF MEMBERS BETWEEN PUBLIC AND SEPARATE ELECTORS IS BASED ONLY ON POPULATION BECAUSE THE AREA COMPONENT IS COMMON TO BOTH POPULATIONS. (THE TERRITORY OF THE PUBLIC BOARD OF EDUCATION AND ITS POPULATIONS - PUBLIC SCHOOL SUPPORTERS AND SEPARATE SCHOOL SUPPORTERS - IS USED TO DETERMINE REPRESENTATION ON THE PUBLIC BOARD, EVEN THOUGH THE CONTIGUOUS SEPARATE SCHOOL BOARD MAY COVER A SOMEWHAT DIFFERENT SET OF MUNICIPALITIES. THIS IS CONSISTENT WITH CURRENT PRACTICE.)

Simulation #6: Population and Area (Using the Log (Base 10) of the Area)

1. Determination of the number of trustees to be elected by public school electors:

$$\text{Total number of members elected to the board} \times \frac{\text{total population of public school supporters and dependants}}{\text{total population of the school division}}$$

2. Determination of the number of trustees to be elected by separate school electors:

$$\text{Total number of members elected to the board} \times \frac{\text{total population of separate school supporters and dependents}}{\text{total population of the school division}}$$

3. Determination of the number of trustees to be elected by each city (public school electors):

$$\text{Total number of members elected by public school electors} \times \frac{\text{total population of public school supporters and dependants in the city x Log Area of the city}}{\text{sum of the products of the total populations of public school supporters and dependants in each city x the Log of the Area of each city}}$$

4. Determination of the number of members to be elected by county or district municipalities (public school electors):

$$\text{Total number of members to be elected by public school electors} - \text{sum total of the number of members to be elected by public school electors in the cities}$$

5. Determination of the number of trustees to be elected by each city (separate school electors):

$$\text{Total number of members elected by separate school electors} \times \frac{\text{total population of separate school supporters and dependants in the city x Log Area of the city}}{\text{sum of the products of the total populations of separate school supporters and dependants in each city x the Log of the Area of the city}}$$

6. Determination of the number of members to be elected by county or district municipalities (separate school electors):

$$\text{Total number of members to be elected by separate school electors} - \text{sum total of the number of members to be elected by separate school electors in the cities}$$

7. With appropriate modifications, the same approach is used to determine the distribution of members of the separate school board.

Simulation #7: Population (2/3) and Area (1/3) - Weighted Average

1. Determination of the number of trustees to be elected by public school electors:

$$\begin{array}{l}\text{Total number of}\\ \text{members elected}\\ \text{to the board}\end{array} \times \frac{\text{total population of public school supporters and dependants}}{\text{total population of the school division}}$$

2. Determination of the number of trustees to be elected by separate school electors:

$$\begin{array}{l}\text{Total number of}\\ \text{members elected}\\ \text{to the board}\end{array} \times \frac{\text{total population of separate school supporters and dependants}}{\text{total population of the school division}}$$

3. Determination of the number of trustees to be elected by each city (public school electors):

$$\begin{array}{l}\text{Total number of}\\ \text{members elected}\\ \text{by public school}\\ \text{electors}\end{array} \times \left(2/3\ \frac{\begin{array}{l}\text{total population of public}\\ \text{school supporters and}\\ \text{dependants in the city}\end{array}}{\begin{array}{l}\text{total population of public}\\ \text{school supporters and}\\ \text{dependants in the school}\\ \text{division}\end{array}} + 1/3\ \frac{\begin{array}{l}\text{Area}\\ \text{of the}\\ \text{city}\end{array}}{\begin{array}{l}\text{Area}\\ \text{of the}\\ \text{school}\\ \text{division}\end{array}}\right)$$

4. Determination of the number of members to be elected by county or district municipalities (public school electors):

$$\begin{array}{l}\text{Total number of members}\\ \text{to be elected by public}\\ \text{school electors}\end{array} - \begin{array}{l}\text{sum total of the number of members}\\ \text{to be elected by public school}\\ \text{electors in the cities}\end{array}$$

5. Determination of the number of trustees to be elected by each city (separate school electors):

$$\text{Total number of members elected by separate school electors} \times \left(2/3\ \frac{\text{total population of separate school supporters and dependants in the city}}{\text{total population of separate school supporters and dependants in the school division}} + 1/3\ \frac{\text{Area of the city}}{\text{Area of the school division}}\right)$$

6. Determination of the number of members to be elected by county or district municipalities (separate school electors):

$$\text{Total number of members to be elected by separate school electors} - \text{sum total of the number of members to be elected by separate school electors in the cities}$$

7. With appropriate modifications, the same approach is used to determine the distribution of members of the separate school board.

Simulation #8: Population (9/10) and Area (1/10) - Weighted Average

1. Determination of the number of trustees to be elected by public school electors:

$$\text{Total number of members elected to the board} \times \frac{\text{total population of public school supporters and dependants}}{\text{total population of the school division}}$$

2. Determination of the number of trustees to be elected by separate school electors:

$$\text{Total number of members elected to the board} \times \frac{\text{total population of separate school supporters and dependants}}{\text{total population of the school division}}$$

3. Determination of the number of trustees to be elected by each city (public school electors):

$$\text{Total number of members elected by public school} \times \left(9/10\ \frac{\text{total population of public school supporters and dependants in the city}}{\text{total population of public school supporters and dependants in the school division}} + 1/10\ \frac{\text{Area of the city}}{\text{Area of the school division}}\right)$$

4. Determination of the number of members to be elected by county or district municipalities (public school electors):

$$\text{Total number of members to be elected by public school electors} - \text{sum total of the number of members to be elected by public school electors in the cities}$$

5. Determination of the number of trustees to be elected by each city (separate school electors):

$$\text{Total number of members elected by separate school electors} \times \left(9/10\,\frac{\text{total population of separate school supporters and dependants in the city}}{\text{total population of separate school supporters and dependants in the school division}} + 1/10\,\frac{\text{Area of the city}}{\text{Area of the school division}}\right)$$

6. Determination of the number of members to be elected by county or district municipalities (separate school electors):

$$\text{Total number of members to be elected by separate school electors} - \text{sum total of the number of members to be elected by separate school electors in the cities}$$

7. With appropriate modifications, the same approach used to determine the distribution of members of the separate school board.

IN THE FOLLOWING SIMULATIONS, INVOLVING THE USE OF DENSITY FACTORS WITH POPULATION, POPULATION ALONE HAS BEEN USED TO DETERMINE THE NUMBER OF MEMBERS TO BE ELECTED BY PUBLIC SCHOOL ELECTORS AND THE NUMBER TO BE ELECTED BY SEPARATE SCHOOL ELECTORS. THE DENSITY OF THE TWO POPULATION GROUPS IS DIFFERENT. IT WAS OUR INTENTION TO REFLECT AND, TO SOME EXTENT, COMPENSATE FOR THE DIFFICULTIES DISTANCE AND LOW DENSITY WOULD CREATE FOR TRUSTEES RELATIVE TO THEIR PEERS RATHER THAN TO ALTER THE PROPORTIONAL REPRESENTATION BETWEEN PUBLIC AND SEPARATE SCHOOL POPULATIONS. THE 11TH AND 12TH SIMULATIONS HAVE THE EFFECT OF CREATING ADDITIONAL TRUSTEE POSITIONS, HOWEVER, AND BECAUSE THE DENSITY OF PUBLIC AND SEPARATE SCHOOL SUPPORTERS (AND DEPENDANTS) IS DIFFERENT, THE EFFECT FOR EACH GROUP ON THE NUMBER OF EXTRA TRUSTEES TO BE ELECTED MAY BE DIFFERENT.

For the following simulations, the following initial calculations were made:

1. Determination of density:

$$\frac{\text{population of public school supporters and dependants of the municipality}}{\text{area of the municipality}}$$

AND

$$\frac{\text{population of separate school supporters and dependants of the municipality}}{\text{area of the municipality}}$$

2. Determination of relative density:

$$\frac{\text{density of the public school supporters and dependants of the municipality}}{\text{density of the public school supporters and dependants of the school division}}$$

AND

$$\frac{\text{density of the separate school supporters and dependants of the municipality}}{\text{density of the separate school supporters and dependants of the school division}}$$

Simulation #9: Population (with the population of areas with less than 50 per cent of overall density given double weight) - Representation Redistributed According to Weighted Population

1. Determination of the number of trustees to be elected by public school electors:

$$\text{Total number of members elected to the board} \times \frac{\text{total population of public school supporters and dependants}}{\text{total population of the school division}}$$

2. Determination of the number of trustees to be elected by separate school electors:

$$\text{Total number of members elected to the board} \times \frac{\text{total population of separate school supporters and dependants}}{\text{total population of the school division}}$$

3. Calculating weighted population:

Where the relative density of school supporters is less than 50 per cent of the overall density, population is multiplied by 2. All other populations are multiplied by 1.

4. Determination of the number of trustees to be elected by each city (public school electors):

$$\text{Total number of members elected by public school electors} \times \frac{\text{weighted population of public school supporters and dependants in the city}}{\text{weighted population of public school supporters and dependants in the school division}}$$

5. Determination of the number of members to be elected by county or district municipalities (public school electors):

$$\text{Total number of members to be elected by public school electors} - \text{sum total of the number of members to be elected by public school electors in the cities}$$

6. Determination of the number of trustees to be elected by each city (separate school electors):

$$\begin{array}{l}\text{Total number of}\\ \text{members elected}\\ \text{by separate school}\\ \text{electors}\end{array} \times \frac{\begin{array}{l}\text{weighted population of separate school supporters}\\ \text{and dependants in the city}\end{array}}{\begin{array}{l}\text{weighted population of separate school supporters}\\ \text{and dependants in the school division}\end{array}}$$

7. Determination of the number of members to be elected by county or district municipalities (separate school electors):

$$\begin{array}{l}\text{Total number of members}\\ \text{to be elected by separate}\\ \text{school electors}\end{array} - \begin{array}{l}\text{sum total of the number of members}\\ \text{to be elected by separate school}\\ \text{electors in the cities}\end{array}$$

8. With appropriate modifications, the same approach is used to determine the distribution of members of the separate school board.

Simulation #10: Population (with the populations of areas with less than 10 per cent of overall density given double weight) - Representation Redistributed According to Weighted Population

1. Determination of the number of trustees to be elected by public school electors:

$$\text{Total number of members elected to the board} \times \frac{\text{total population of public school supporters and dependants}}{\text{total population of the school division}}$$

2. Determination of the number of trustees to be elected by separate school electors:

$$\text{Total number of members elected to the board} \times \frac{\text{total population of separate school supporters and dependants}}{\text{total population of the school division}}$$

3. Calculating weighted population:

Where the relative density of school supporters is less than 10 per cent of the overall density, population is multiplied by 2. All other populations are multiplied by 1.

4. Determination of the number of trustees to be elected by each city (public school electors):

$$\text{Total number of members elected by public school electors} \times \frac{\text{weighted population of public school supporters and dependants in the city}}{\text{weighted population of public school supporters and dependants in the school division}}$$

5. Determination of the number of members to be elected by county or district municipalities (public school electors):

$$\text{Total number of members to be elected by public school electors} - \text{sum total of the number of members to be elected by public school electors in the cities}$$

6. Determination of the number of trustees to be elected by each city (separate school electors):

$$\text{Total number of members elected by separate school electors} \times \frac{\text{weighted population of separate school supporters and dependants in the city}}{\text{weighted population of separate school supporters and dependants in the school division}}$$

7. Determination of the number of members to be elected by county or district municipalities (separate school electors):

$$\text{Total number of members to be elected by separate school electors} - \text{sum total of the number of members to be elected by separate school electors in the cities}$$

8. With appropriate modifications, the same approach is used to determine the distribution of members of the separate school board.

Simulation #11: Population (with the populations of areas with less than 50 per cent of overall density given double weight) - Additional Trustee Representation Generated According to Weighted Population

1. Determination of the number of trustees to be elected by public school electors:

$$\text{Total number of members elected to the board, based on population} \times \frac{\text{total population of public school supporters and dependants}}{\text{total population of the school division and dependants}}$$

2. Determination of the number of trustees to be elected by separate school electors:

$$\text{Total number of members elected to the board, based on population} \times \frac{\text{total population of separate school supporters and dependants}}{\text{total population of the school division and dependants}}$$

3. Calculating population weight:

   Where the relative density of school supporters is less than 50 per cent of the overall density, the weight is 2. All other weights are 1.

4. Determination of the number of trustees to be elected by each city (public school electors):

$$\text{Total number of members elected by public school electors, based on population} \times \frac{\text{population of public school supporters and dependants in the city}}{\text{population of public school supporters in the school division}} \times \text{weight}$$

5. Determination of the number of members to be elected by county or district municipalities (public school electors):

$$\text{Total number of members elected by public school electors, based on population} \times \frac{\text{population of public school supporters and dependants in the country/district municipality}}{\text{population of public school supporters and dependants in the school disivion}} \times \text{weight}$$

6. Determination of the number of trustees to be elected by each city (separate school electors):

$$\text{Total number of members elected by separate school electors, based on population} \times \frac{\text{population of separate school supporters and dependants in the city}}{\text{population of separate school supporters and dependants in the school division}} \times \text{weight}$$

7. Determination of the number of members to be elected by county or district municipalities (separate school electors):

$$\text{Total number of members elected by separate school electors, based on population} \times \frac{\text{population of separate school supporters and dependants in the county/district municipality}}{\text{population of separate school supporters and dependants in the school division}} \times \text{weight}$$

8. With appropriate modifications, the same approach is used to determine the distribution of members of the separate school board.

Simulation #12 Population (with the populations of areas with less than 10 per cent of overall density given double weight) - Additional Trustee Representation Generated According to Weighted Population

1. Determination of the number of trustees to be elected by public school electors:

$$\begin{array}{l}\text{Total number of}\\ \text{members elected}\\ \text{to the board,}\\ \text{based on population}\end{array} \times \frac{\begin{array}{l}\text{total population of public school}\\ \text{supporters and dependants}\end{array}}{\text{total population of the school division}}$$

2. Determination of the number of trustees to be elected by separate school electors:

$$\begin{array}{l}\text{Total number of}\\ \text{members elected}\\ \text{to the board,}\\ \text{based on population}\end{array} \times \frac{\begin{array}{l}\text{total population of separate school}\\ \text{supporters and dependants}\end{array}}{\text{total population of the school division}}$$

3. Calculating population weight:

   Where the relative density of school supporters is less than 10 per cent of the overall density, the weight is 2. All other weights are 1.

4. Determination of the number of trustees to be elected by each city (public school electors):

$$\begin{array}{l}\text{Total number of}\\ \text{members elected}\\ \text{by public school}\\ \text{electors, based}\\ \text{on population}\end{array} \times \frac{\begin{array}{l}\text{population of public school supporters}\\ \text{and dependants in the city}\end{array}}{\begin{array}{l}\text{population of public school supporters}\\ \text{and dependants in the school division}\end{array}} \times \text{weight}$$

5. Determination of the number of members to be elected by county or district municipalities (public school electors):

$$\text{Total number of members elected by public school electors, based on population} \times \frac{\text{population of public school supporters and dependants in the country/district municipality}}{\text{population of public school supporters and dependants in the school disivion}} \times \text{weight}$$

6. Determination of the number of trustees to be elected by each city (separate school electors):

$$\text{Total number of members elected by separate school electors, based on population} \times \frac{\text{population of separate school supporters and dependants in the city}}{\text{population of separate school supporters and dependants in the school division}} \times \text{weight}$$

7. Determination of the number of members to be elected by county or district municipalities (separate school electors):

$$\text{Total number of members elected by separate school electors, based on population} \times \frac{\text{population of separate school supporters and dependants in the county/district municipality}}{\text{population of separate school supporters and dependants in the school division}} \times \text{weight}$$

8. With appropriate modifications, the same approach is used to determine the distribution of members of the separate school board.

IN BOTH SIMULATIONS 11 AND 12, THE FINAL TOTAL NUMBER OF TRUSTEES WILL BE BASED UPON THE NUMBER DICTATED BY POPULATION LEVELS BUT MAY, IF THERE ARE AREAS OF LOW DENSITY, EXCEED THE NUMBER SET OUT IN THE TABLES ACCORDING TO LEGISLATION.

Simulation #13: Assessment-based distribution using "Residential Only" the AEF (7 Boards only)

Equalized residential and farm assessment was calculated by dividing the unequalized residential and farm assessment (for public school supporters, separate school supporters, and total assessment, broken down by municipality) by the "residential only" assessment equalization factor (AEF) and multiplying by 100.

$$\frac{\text{unequalized residential and farm assessment}}{\text{"residential only" assessment equalization factor}} \times 100 = \text{equalized residential and farm assessment}$$

1. Determination of the number of trustees to be elected by separate school electors:

$$\text{Total number of members elected to the board} \times \frac{\text{equalized residential and farm assessment of the property rateable for public school purposes}}{\text{equalized residential and farm assessment of all the rateable property in the school division}}$$

2. Determination of the number of trustees to be elected by separate school electors:

$$\text{Total number of members elected to the board} \times \frac{\text{equalized residential and farm assessment of the property rateable for separate school purposes}}{\text{equalized residential and farm assessment of all the rateable property in the school division}}$$

3. Determination of the number of trustees to be elected by each city (public school electors):

$$\text{Total number of members elected by public school electors} \times \frac{\text{equalized residential and farm assessment of the property rateable for public school purposes in the city}}{\text{equalized residential and farm assessment of all the property rateable for public school purposes in the school division}}$$

4. Determination of the number of members to be elected by county or district municipalities (public school electors):

$$\text{Total number of members to be elected by public school electors} - \text{sum total of the number of members to be elected by public school electors in the cities}$$

5. Determination of the number of trustees to be elected by each city (separate school electors):

$$\text{Total number of member elected by separate school electors} \times \frac{\text{equalized residential and farm assessment of the property rateable for separate school purposes in the city}}{\text{equalized residential and farm assessment of all property rateable for separate school purposes in the school division}}$$

6. Determination of the number of members to be elected by county or district municipalities (separate school electors):

$$\text{Total number of members to be elected by separate school electors} - \text{sum total of the number of members to be elected by separate school electors in the cities}$$

7. With appropriate modifications, the same approach is used to determine the distribution of members of the separate school board.

Appendix 3

List of School Boards Used in the Simulations

APPENDIX 3:
LIST OF SCHOOL BOARDS USED IN THE SIMULATIONS

Boards of Education	RCSS Boards
Brant County	Brant County RCSS
Middlesex County	London-Middlesex RCSS
Timmins	Timmins District RCSS
Timiskaming	Timiskaming District RCSS
Prescott & Russell	Prescott & Russell RCSS
Lambton County	Lambton County RCSS
Lake Superior	North of Superior RCSS
Ft. Frances/Rainy River	Ft. Frances/Rainy River RCSS
Lincoln County	Lincoln County RCSS
Peel	Dufferin-Peel RCSS
Durham	Durham RCSS
Waterloo	Waterloo RCSS
Niagara South	Welland RCSS
Renfrew	Renfrew RCSS
Huron	
Perth	Huron-Perth RCSS
Frontenac	
West Parry Sound	

Appendix 4

Brant County Board Basic Data
Brant County RCSS Board Basic Data

SCHOOL BOARD

Brant County

BASIC DATA

MUNICIPALITY	TOTAL POPULATION	PUBLIC POPULATION	SEPARATE POPULATION	"ELECTORS" VOTING AGE POPULATION PUBLIC	"ELECTORS" VOTING AGE POPULATION SEPARATE
CITY					
Brantford	75 080	59 856	15 224	44 999	10 968
CITY SUBTOTAL	75 080	59 856	15 224	44 999	10 968
TOWNS					
Paris	7 723	6 801	922	5 060	617
VILLAGES					
TOWNSHIPS					
Brantford	6 623	5 596	1 027	4 278	712
Burford	5 297	4 200	1 097	3 131	756
Oakland	1 240	1 007	233	765	173
Onondaga	1 272	1 213	59	925	41
S Dumfries	3 977	3 722	255	2 785	191
COUNTY TOTAL	26 132	22 539	3 593	16 944	2 490
TOTAL COUNTY & CITY	101 212	82 395	18 817	61 943	13 458

SCHOOL BOARD

Brant County

BASIC DATA

UNEQUALIZED TOTAL RES & FARM ASSESSMENT	UNEQUALIZED PUBLIC RES & FARM ASSESSMENT	UNEQUALIZED SEPARATE RES & FARM ASSESSMENT	PUB'D AEF	GRANT AEF	AREA	LOG AREA
145 359 009	117 892 235	27 466 774	13.24	13.68	6 867	3.8368
145 359 009	117 892 235	27 466 774			6 867	3.8368
8 547 580	7 720 416	827 164	8.63	9.02	1 121	3.0496
12 540 024	10 526 749	1 952 985	7.14	7.03	24 524	4.3896
10 177 259	7 480 268	2 084 084	5.93	5.77	27 705	4.4426
2 066 790	1 422 735	638 530	5.76	5.96	4 543	3.6573
2 523 211	2 418 119	105 092	5.98	5.77	8 780	3.9435
7 285 395	6 795 305	414 770	5.65	5.42	18 122	4.2582
43 140 259	36 363 592	6 022 625			84 795	23.7408
188 499 268	154 255 827	33 489 399			91 662	27.5776

SUMMARY OF RESULTS
TOTAL # TRUSTEES

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BRANT COUNTY	SIMULATION #1 STATUS QUO		SIMULATION #2 STATUS QUO - GRANT AEF		SIMULATION #3 REP BY POP TOTAL POP "SUPPORTERS"	
MUNICIPALITY	PUBLIC	SEPARATE	PUBLIC	SEPARATE	PUBLIC	SEPARATE
CITY						
Brantford	9.28	2.08	9.12	2.05	10.90	2.43
CITY SUBTOTAL	9.00	2.00	9.00	2.00	11.00	2.00
TOWNS						
Paris	0.98	0.10	0.92	0.10	1.21	0.26
VILLAGES						
TOWNSHIPS						
Brantford	1.61	0.30	1.62	0.30	0.99	0.29
Burford	1.38	0.38	1.40	0.39	0.75	0.31
Oakland	0.27	0.12	0.26	0.11	0.18	0.06
Onondaga	0.44	0.02	0.45	0.02	0.22	0.02
S Dumfries	1.32	0.08	1.35	0.08	0.66	0.07
COUNTY TOTAL	6.00	1.00	6.00	1.00	4.00	1.00
TOTAL COUNTY & CITY	15.00	3.00	15.00	3.00	15.00	3.00

SUMMARY OF RESULTS
TOTAL # TRUSTEES

SIMULATION #4 REP BY POP VOTING AGE "ELECTORS"		SIMULATION #5 AVERAGE ASSESS & POP		SIMULATION #6 POP & AREA (LOG AREA)		SIMULATION #7 POP (2/3 WT) & AREA (1/3 WT)	
PUBLIC	SEPARATE	PUBLIC	SEPARATE	PUBLIC	SEPARATE	PUBLIC	SEPARATE
10.90	2.44	10.09	2.25	10.84	2.41	7.64	1.69
11.00	2.00	10.00	2.00	11.00	2.00	8.00	2.00
1.19	0.25	1.16	0.18	0.94	0.20	1.44	0.18
1.01	0.29	1.29	0.29	1.11	0.31	1.83	0.29
0.74	0.30	1.04	0.34	0.85	0.34	1.63	0.31
0.18	0.07	0.22	0.09	0.17	0.06	0.33	0.06
0.22	0.02	0.32	0.02	0.22	0.02	0.49	0.05
0.66	0.08	0.96	0.08	0.72	0.08	1.27	0.12
4.00	1.00	5.00	1.00	4.00	1.00	7.00	1.00
15.00	3.00	15.00	3.00	15.00	3.00	15.00	3.00

SUMMARY OF RESULTS
TOTAL # TRUSTEES

SIMULATION #8 POP (.9) & AREA (.1)		SIMULATION #9 WITH REDISTRIB TO REFLECT LOW DENSITY (<50%)		SIMULATION #10 WITH REDISTRIB TO REFLECT LOW DENSITY (<10%)	
PUBLIC	SEPARATE	PUBLIC	SEPARATE	PUBLIC	SEPARATE
9.92	2.21	9.15	2.13	10.90	2.39
10.00	2.00	9.00	2.00	11.00	2.00
1.36	0.23	1.07	0.15	1.21	0.24
1.26	0.29	1.75	0.33	0.99	0.26
1.00	0.31	1.32	0.35	0.75	0.28
0.23	0.06	0.32	0.07	0.18	0.06
0.29	0.03	0.38	0.02	0.22	0.03
0.85	0.09	1.17	0.08	0.66	0.13
5.00	1.00	6.00	1.00	4.00	1.00
15.00	3.00	15.00	3.00	15.00	3.00

SUMMARY OF RESULTS

TOTAL # TRUSTEES

SIMULATION #11 EXTRA TRUSTEES IN LOW-DENSITY AREAS (50%)		SIMULATION #12 EXTRA TRUSTEES IN LOW-DENSITY AREAS (10%)	
PUBLIC	SEPARATE	PUBLIC	SEPARATE
10.90	2.43	10.90	2.43
11.00	2.00	11.00	2.00
1.21	0.26	1.21	0.26
1.99	0.57	0.99	0.29
1.49	0.61	0.75	0.31
0.36	0.13	0.18	0.06
0.43	0.03	0.22	0.03
1.32	0.14	0.66	0.14
7.00	2.00	4.00	1.00
18.00	4.00	15.00	3.00
15.00	3.00	15.00	3.00
BASIC # OF TRUSTEES		BASIC # OF TRUSTEES	

SUMMARY OF CHANGES

BRANT COUNTY	SIM #1 STATUS QUO ASSESS w PUB AEF		SIM #2 ASSESS w GRANT AEF		SIM #3 REP BY POP TOTAL POP "SUPPORTERS"		SIM #4 REP BY POP VOTING AGE "ELECTORS"		SIM #5 ASSESS & POP AVERAGED	
MUNICIPALITY	PUB	SEP	PUB	SEP	PUB	SEP	PUB	SEP	PUB	SEP
CITY										
Brantford	0.00	0.00	(0.17)	(0.03)	1.61	0.35	1.61	0.37	0.81	0.18
CITY SUBTOTAL	0.00	0.00	0.00	0.00	2.00	0.00	2.00	0.00	1.00	0.00
TOWNS										
Paris	0.00	0.00	(0.06)	(0.01)	0.23	0.15	0.22	0.14	0.18	0.08
VILLAGES										
TOWNSHIPS										
Brantford	0.00	0.00	.00	.00	(0.62)	(0.01)	(0.60)	(0.01)	(0.32)	(0.01)
Burford	0.00	0.00	0.02	0.01	(0.63)	(0.08)	(0.64)	(0.08)	(0.34)	(0.04)
Oakland	0.00	0.00	(0.01)	(0.01)	(0.09)	(0.06)	(0.09)	(0.05)	(0.05)	(0.03)
Onondaga	0.00	0.00	0.01	.00	(0.23)	(.00)	(0.22)	(.00)	(0.12)	(.00)
S Dumfries	0.00	0.00	0.04	.00	(0.66)	(0.01)	(0.66)	(.00)	(0.35)	(.00)
COUNTY TOTAL	0.00	0.00	0.00	0.00	(2.00)	0.00	(2.00)	0.00	(1.00)	0.00
TOTAL COUNTY & CITY	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

SUMMARY OF CHANGE

SIM #6 POP & AREA (LOG AREA)		SIM #7 2/3 POP PLUS 1/3 AREA		SIM #8 POP (.9) PLUS AREA (.1)		SIM #9 REP BY POP w REDISTRIB TO REFLECT LOW DENSITY (<50%)		SIM #10 REP BY POP w REDISTRIB TO REFLECT LOW DENSITY (<10%)		SIM #11 REP BY POP w EXTRA TRUSTEES TO REFLECT LOW DENSITY (<50%)		SIM #12 REP BY POP w EXTRA TRUSTEES TO REFLECT LOW DENSITY (<10%)	
PUB	SEP	PUB	SEP	PUB	SEP	PUB	SEP	PUB	SEP	PUB	SEP	PUB	SEP
1.55	0.33	(1.64)	(0.38)	0.64	0.13	(0.13)	0.05	1.61	0.31	1.61	0.35	1.61	0.35
2.00	0.00	(1.00)	0.00	1.00	0.00	0.00	0.00	2.00	0.00	2.00	0.00	2.00	0.00
(0.04)	0.09	0.46	0.07	0.39	0.13	0.09	0.04	0.23	0.13	0.23	0.15	0.23	0.15
(0.50)	0.02	0.22	(0.01)	(0.35)	(0.01)	0.14	0.03	(0.62)	(0.03)	0.37	0.28	(0.62)	(0.01)
(0.53)	(0.04)	0.25	(0.07)	(0.38)	(0.07)	(0.06)	(0.03)	(0.63)	(0.10)	0.11	0.23	(0.63)	(0.08)
(0.10)	(0.06)	0.06	(0.06)	(0.04)	(0.06)	0.05	(0.05)	(0.09)	(0.06)	0.09	0.01	(0.09)	(0.06)
(0.23)	(.00)	0.05	0.03	(0.15)	0.01	(0.06)	(.00)	(0.23)	0.01	(0.01)	0.01	(0.23)	0.01
(0.60)	(.00)	(0.05)	0.04	(0.47)	0.01	(0.15)	.00	(0.66)	0.05	0.01	0.06	(0.66)	0.06
(2.00)	0.00	1.00	0.00	(1.00)	0.00	0.00	0.00	(2.00)	0.00	1.00	1.00	(2.00)	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3.00	1.00	0.00	0.00

SEPARATE SCHOOL BOARD

Brant County RCSS

BASIC DATA

MUNICIPALITY	TOTAL POPULATION	SEPARATE POPULATION	"ELECTORS" VOTING-AGE POPULATION SEPARATE	UNEQUALIZED SEPARATE RES & FARM ASSESSMENT
CITY				
Brantford	75 080	15 224	10 968	27 466 774
CITY SUBTOTAL	75 080	15 224	10 968	27 466 774
TOWNS				
Paris	7 723	922	744	827 164
VILLAGES				
TOWNSHIPS				
Brantford	6 623	1 027	712	1 952 985
Burford	5 297	1 097	756	2 084 084
Oakland	1 240	233	173	638 530
Onondaga	1 272	59	41	105 092
S Dumfries	3 977	255	191	414 770
Norwich N	9 507	848	588	10 521
Delhi	14 796	4 281	3 241	115 734
COUNTY TOTAL	50 435	8 722	6 446	6 148 880
TOTAL COUNTY & CITY	125 515	23 946	17 414	33 615 654

SEPARATE SCHOOL BOARD

Brant County RCSS

BASIC DATA

PUB'D AEF	GRANT AEF	AREA	LOG AREA
13.24	13.68	6,867	3.8368
		6 867	3.8368
8.63	9.02	1 121	3.0496
7.14	7.03	24 524	4.3896
5.93	5.77	27 705	4.4426
5.76	5.96	4 543	3.6573
5.98	5.77	8 780	3.9435
5.65	5.42	18 122	4.2582
5.62	5.50	41 383	4.6168
6.12	6.48	52 392	4.7193
		178 570	33.0769
		185 437	36.9137

SUMMARY OF RESULTS
TOTAL # TRUSTEES

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BRANT RC MUNICIPALITY	SIMULATION #1 STATUS QUO SEPARATE	SIMULATION #2 STATUS QUO - GRANT AEF SEPARATE	SIMULATION #3 REP BY POP TOTAL POP "SUPPORTERS" SEPARATE	SIMULATION #4 REP BY POP VOTING-AGE "ELECTORS" SEPARATE
CITY				
Brantford	9.62	9.50	8.90	8.82
CITY SUBTOTAL	10.00	9.00	9.00	9.00
TOWNS				
Paris	0.41	0.48	0.53	0.58
VILLAGES				
TOWNSHIPS				
Brantford	1.16	1.46	0.59	0.55
Burford	1.49	1.90	0.63	0.59
Oakland	0.47	0.56	0.13	0.13
Onondaga	0.07	0.10	0.03	0.03
S Dumfries	0.31	0.40	0.15	0.15
Norwich N	0.01	0.01	0.49	0.46
Delhi	0.08	0.09	2.45	2.51
COUNTY TOTAL	4.00	5.00	5.00	5.00
TOTAL COUNTY & CITY	14.00	14.00	14.00	14.00

SUMMARY OF RESULTS
TOTAL # TRUSTEES

SIMULATION #5 AVERAGE ASSESS & POP	SIMULATION #6 POP & AREA (LOG AREA)	SIMULATION #7 POP (2/3 WT) & AREA (1/3 WT)	SIMULATION #8 POP (.9) & AREA (.1)
SEPARATE	SEPARATE	SEPARATE	SEPARATE
9.26	8.44	6.11	8.06
9.00	8.00	6.00	8.00
0.52	0.44	0.58	0.57
1.02	0.70	0.99	0.72
1.25	0.76	1.08	0.77
0.36	0.13	0.21	0.16
0.06	0.04	0.17	0.07
0.27	0.17	0.43	0.22
0.25	0.61	1.14	0.66
1.28	3.15	3.40	2.83
5.00	6.00	8.00	6.00
14.00	14.00	14.00	14.00

SUMMARY OF RESULTS
TOTAL # TRUSTEES

SIMULATION #9 REP BY POP w REDISTRIB TO TO REFLECT LOW DENSITY (<50%)	SIMULATION #10 REP BY POP w REDISTRIB TO TO REFLECT LOW DENSITY (<10%)	SIMULATION #11 REP BY POP w EXTRA TRUSTEES TO REFLECT LOW DENSITY (<50%)	SIMULATION #12 REP BY POP w EXTRA TRUSTEES TO REFLECT LOW DENSITY (<10%)
SEPARATE	SEPARATE	SEPARATE	SEPARATE
7.76	8.88	8.90	8.90
8.00	9.00	9.00	9.00
0.45	0.52	0.53	0.53
1.01	0.58	1.18	0.59
1.08	0.62	1.26	0.63
0.23	0.13	0.27	0.13
0.06	0.07	0.07	0.07
0.25	0.15	0.29	0.15
0.83	0.48	0.97	0.49
2.10	2.44	2.45	2.45
6.00	5.00	7.00	5.00
14.00	14.00	16.00	14.00
		14.00	14.00

BASIC # TRUSTEES

SUMMARY OF CHANGES

BRANT RC	SIM #1 STATUS QUO ASSESS w PUB AEF	SIM #2 ASSESS w GRANT AEF	SIM #3 REP BY POP TOTAL POP "SUPPORTERS"	SIM #4 REP BY POP VOTING-AGE "ELECTORS"	SIM #5 ASSESS & POP AVERAGED
MUNICIPALITY	SEP	SEP	SEP	SEP	SEP
CITY					
Brantford	0.00	(0.13)	(0.72)	(0.81)	(0.36)
CITY SUBTOTAL	0.00	(1.00)	(1.00)	(1.00)	(1.00)
TOWNS					
Paris	0.00	0.08	0.12	0.17	0.11
VILLAGES					
TOWNSHIPS					
Brantford	0.00	0.30	(0.57)	(0.61)	(0.14)
Burford	0.00	0.41	(0.86)	(0.90)	(0.24)
Oakland	0.00	0.09	(0.34)	(0.34)	(0.11)
Onondaga	0.00	0.02	(0.04)	(0.04)	(0.01)
S Dumfries	0.00	0.09	(0.17)	(0.16)	(0.04)
Norwich N	0.00	.00	0.48	0.45	0.24
Delhi	0.00	0.01	2.37	2.43	1.20
COUNTY TOTAL	0.00	1.00	1.00	1.00	1.00
TOTAL COUNTY & CITY	0.00	0.00	0.00	0.00	0.00

SUMMARY OF CHANGES

SIM #6 POP & AREA (LOG AREA)	SIM #7 2/3 POP PLUS 1/3 AREA	SIM #8 POP (.9) PLUS AREA (.1)	SIM #9 REP BY POP w REDISTRIB TO REFLECT LOW DENSITY (<50%)	SIM #10 REP BY POP w REDISTRIB TO REFLECT LOW DENSITY (<10%)	SIM #11 REP BY POP w EXTRA TRUSTEES TO REFLECT LOW DENSITY (<50%)	SIM #12 REP BY POP w EXTRA TRUSTEES TO REFLECT LOW DENSITY (<10%)
SEP	SEP	SEP	SEP	SEP	SEP	SEP
(1.18)	(3.52)	(1.56)	(1.86)	(0.74)	(0.72)	(0.72)
(2.00)	(4.00)	(2.00)	(2.00)	(1.00)	(1.00)	(1.00)
0.03	0.17	0.17	0.05	0.12	0.12	0.12
(0.46)	(0.17)	(0.44)	(0.15)	(0.57)	0.02	(0.57)
(0.73)	(0.41)	(0.72)	(0.41)	(0.87)	(0.23)	(0.86)
(0.34)	(0.26)	(0.31)	(0.24)	(0.34)	(0.20)	(0.34)
(0.04)	0.09	(0.01)	(0.02)	(0.01)	(0.01)	(0.01)
(0.14)	0.12	(0.09)	(0.06)	(0.17)	(0.02)	(0.17)
0.60	1.13	0.66	0.82	0.47	0.96	0.48
3.07	3.32	2.75	2.02	2.36	2.37	2.37
2.00	4.00	2.00	2.00	1.00	3.00	1.00
0.00	0.00	0.00	0.00	0.00	2.00	0.00

Appendix 5

Residential-Only Assessment Equalization Factor (AEF)

RESIDENTIAL-ONLY ASSESSMENT EQUALIZATION FACTOR (AEF)

An additional simulation was carried out on a subset of seven boards, using a residential-only AEF. Currently, property in Ontario is assessed in nine different classes: residences, one and two units; residences, three to six units; residences, seven or more units; commercial and professional; industrial and manufacturing; other rateable realty; farms; pipelines; recreational dwellings. The residential AEF is calculated using only property in classes 1, 2, 3, and 9. That is, only properties that are residential in nature are used. This factor is then applied to residential and farm assessment although farms were excluded from the calculation of the AEF itself.

This approach was suggested by the Committee on Trustee Representation in 1982 as a response to concerns expressed to it. A number of municipalities had a majority of population and student enrolment and bore the majority of the tax burden but did not have a corresponding share of trustee positions. The intent was to equalize the value of residential and farm assessment reflecting only changes in the value of the same type of property.

While the residential AEF is, perhaps, a more comparable measure of the changes in the assessment on which representation has been determined, it does not solve either the perceived or the real problem. Changes in the value of farm assessment have been excluded from the calculation of the AEF. In addition, the discrepancy between the proportion of taxes paid and proportion of representation remains. The productive or business component of farm assessment is still part of the basis on which assessment is determined while no similar business component is included for urban municipalities. The tax rebate to farmers is an additional source of imbalance between tax support and representation.

It is not surprising that, with representation based on proportional equalized assessment, a connection should be made between tax support and representation. The use of only residential and farm assessment to determine representation suggests that representation is meant to reflect users (residents) of the education system rather than supporters (taxpayers, including commercial, industrial, and other types of property).

The use of a basis other than property values (however equalized), specifically some measure of the population, would dissociate representation from taxation. In addition, the authors of this study have argued throughout that assessment is not consistent with fundamental principles of democratic representation.

The Committee recommended that the Ministry examine the present method of calculating equalization factors to determine whether a "pure" residential factor, if applied, would meet the philosophical basis for trustee representation. We would contend that, on the basis of philosophical criteria, neither this method nor any other assessment-based method is appropriate.

Nevertheless, it is instructive to consider the effects of using a residential-only AEF to equalize residential and farm assessment. A residential-only AEF was calculated for and applied to each of the municipalities in seven boards: Lambton RCSS, Lambton, Frontenac, Waterloo, Perth, Fort Frances-Rainy River, and Lake Superior. This sample of six public boards of education and one RCSS board included five boards with both city and county municipalities (four public boards and one RCSS board) and two that have only county municipalities. (The residential-only AEF was calculated by the School Business and Finance Branch of the Ministry of Education, based on 1984 data). The results, compared to those for the current method, are reported in tables A 5.1-7.

For three school boards (Frontenac, Lambton, and Lambton RCSS) the differences are fractional. There is no shift in representation between city and county municipalities, nor, for the public boards, between public and separate trustees.

In Frontenac, the township of Bedford loses clear entitlement to a public trustee (the current method gives this municipality .51 of a public trustee; the residential-only AEF would give it only .42). Because county municipalities are grouped for the purpose of electing trustees, the end result might be the same in both cases.

In Lambton, the township of Sombra gains clear entitlement to a public trustee. Under the status quo it merits only .42 of a public trustee; using the residential-only AEF, it would be entitled to .62. For Lambton RCSS, two municipalities are affected. Again Sombra gains entitlement to a trustee (from .45 to .57) while Sarnia Township, because of a fractional change, would be entitled to 4 (3.54) rather than 3 (3.33) trustees.

The results for Waterloo are similar. Under the status quo, the three cities (Kitchener, Waterloo, and Cambridge) are entitled to 6.22, 3.33, and 3.32 public trustees respectively for a total of 12.87 or 13 trustees. The use of the residential-only AEF gives Waterloo 4 (3.54) public trustees but leaves the total of 13 (after rounding) unchanged.

The Perth Board would, as a result of using the residential-only AEF, experience a shift of one public trustee position from the county to the cities. Stratford would gain an additional trustee by a significant margin (from 3.25 to 4.25). The loss would, for the most part, be spread across the county municipalities. The greatest negative change would be experienced by the Township of Elma which, under the status quo, would have a marginal entitlement to 2 trustees (1.51) but, when the residential-only AEF is used, would merit almost exactly one trustee (1.02). The Town of Mitchell would gain fractionally (from .43 to .53) when the residential-only AEF is used and would have a claim to a trustee.

In none of the four public boards discussed above were there any effective changes in separate school trustee distribution among municipalities.

The other two boards, Fort Frances and Lake Superior, have only county municipalities. Fort Frances loses one position from public to separate trustees as a result of using the residential-only AEF. A fractional shift in the proportion of representation to which the public electorate was entitled resulted, because of rounding, in the one trustee shift. For Fort Frances, the proportion to which the public electorate was entitled changed from 90 per cent to 80 per cent with 12.6 (rounded up to 13) and 12.32 (rounded down to 12) trustees as respective results. This fractional change in the proportion to which the public electorate was entitled reflects the distribution of rateable assessment and the specific AEF for each municipality. Apart from the overall shift of one position from public to separate, the Town of Fort Frances itself would gain representation if the residential-only AEF were used. Under the status quo it merits 5 (4.90) public trustees, whereas using the residential-only AEF it would be entitled to 6 (5.57). There is a similar change in representation for the separate school trustees on this board from 1 (.75) to 2 (1.60) positions. The shift of one position from public to separate and the increased representation for the Town of Fort Frances is reflected in the loss of one position for the unorganized territory from 2 (1.79) to 1 (1.30) when the residential-only AEF is used.

For Lake Superior, the use of the residential-only AEF had a fractional effect on the distribution of separate school trustees but did not alter the distribution of trustees. For the public trustees, there would be a change in distribution. Manitouwadge would lose one public trustee, while both Marathon and Terrace Bay would gain one each: Marathon would merit 3 (3.00) rather than 2 (2.06) public trustees, while Terrace Bay would get 3 (2.86) rather than 2 (2.49). There would be no change in the total number of public trustees. The fractional distribution produced by the current method meant that one trustee position was not clearly assigned to any one municipality. Because the unorganized territory, which seems to merit a trustee on the basis of equalized assessment, is not given a trustee in fact, that additional position could be grouped with Schreiber for a total of 2 public trustees.

These results are quite similar to those reported by the Committee on Trustee Representation in March 1982 and would meet the objective of the Lake Superior Board to have a more balanced distribution of trustees among the municipalities.

The Committee was unable to generalize from the results it reported in 1982, and it is similarly difficult to generalize from the results of the current analysis. The use of a residential-only AEF has more effect on the distribution of trustee positions than did the AEF used in the allocation of General Legislative Grants but, for the most part, the changes that result are fractional.

Global use of a residential-only AEF would require considerable extra work because this factor is not presently routinely computed. While it produces somewhat different results from those of the current method, it is not clear that these differences meet the concerns expressed regarding the relationship between tax levy and proportional representation. While use of this factor might be feasible, it is not possible to state that it would be desirable.

Finally, the authors reiterate their recommendation that the use of equalized assessment to determine trustee representation be discarded and that a method more consistent with the fundamental principles of democratic representation be adopted instead.

Table A5.1:

Summary of Results - Lambton RCSS

TOTAL # TRUSTEES

14

LAMBTON RCSS	SIMULATION #1 STATUS QUO	SIMULATION #2 STATUS QUO - RES ONLY AEF
MUNICIPALITY	SEPARATE	SEPARATE
CITY		
Sarnia	4.85	5.09
CITY SUBTOTAL	5.00	5.00
TOWNS		
Forest	0.11	0.12
Petrolia	0.24	0.25
VILLAGES		
Arkona	0.02	0.02
Grand Bend	0.05	0.05
Oil Springs	0.01	0.01
Point Edward	0.17	0.24
Thedford	.00	.00
Watford	0.05	0.07
Wyoming	0.13	0.14
TOWNSHIPS		
Bosanquet	1.04	1.02
Brooke	0.27	0.21
Enniskillen	0.40	0.32
Euphemia	0.12	0.07
Moore	0.75	0.86
Plympton	0.85	0.81
Sarnia	3.33	3.54
Sombra	0.45	0.57
Warwick	1.03	0.72
COUNTY TOTAL	9.00	9.00
TOTAL COUNTY & CITY	14.00	14.00

Table A5.2:

Summary of Results - Lambton

TOTAL # TRUSTEES

18

LAMBTON	SIMULATION #1 STATUS QUO		SIMULATION #2 STATUS QUO - RES-ONLY AEF	
MUNICIPALITY	PUBLIC	SEPARATE	PUBLIC	SEPARATE
CITY				
Sarnia	3.94	1.39	4.16	1.45
CITY SUBTOTAL	4.00	1.00	4.00	1.00
TOWNS				
Forest	0.23	0.04	0.25	0.04
Petrolia	0.33	0.08	0.35	0.08
VILLAGES				
Alvinston	0.06	0.00	0.07	0.00
Arkona	0.04	0.01	0.04	0.01
Grand Bend	0.19	0.02	0.19	0.02
Oil Springs	0.06	.00	0.06	.00
Point Edward	0.24	0.06	0.33	0.08
Thedford	0.04	.00	0.05	.00
Watford	0.09	0.02	0.11	0.02
Wyoming	0.16	0.04	0.17	0.05
TOWNSHIPS				
Bosanquet	1.18	0.35	1.16	0.34
Brooke	0.50	0.09	0.38	0.07
Dawn	0.39	.00	0.32	.00
Enniskillen	0.72	0.13	0.58	0.11
Euphemia	0.30	0.04	0.19	0.02
Moore	1.13	0.25	1.30	0.29
Plympton	1.07	0.28	1.02	0.27
Sarnia	2.33	1.11	2.48	1.18
Sombra	0.48	0.15	0.62	0.19
Warwick	0.46	0.34	0.32	0.24
COUNTY TOTAL	10.00	3.00	10.00	3.00
TOTAL COUNTY & CITY	14.00	4.00	14.00	4.00

Table A5.3:

Summary of Results - Frontenac

TOTAL # TRUSTEES

18

FRONTENAC	SIMULATION #1 STATUS QUO		SIMULATION #2 STATUS QUO - RES ONLY AEF	
MUNICIPALITY	PUBLIC	SEPARATE	PUBLIC	SEPARATE
CITY				
Kingston	6.24	1.54	6.38	1.55
CITY SUBTOTAL	6.00	2.00	6.00	2.00
TOWNS VILLAGES TOWNSHIPS				
Barrie	0.29	0.01	0.26	0.01
Bedford	0.51	0.02	0.42	0.02
Clarendon & Miller	0.23	0.00	0.13	0.00
Hinchinbrooke	0.22	0.01	0.25	0.01
Howe Island	0.07	0.04	0.07	0.03
Kennebec	0.22	0.00	0.16	0.00
Kingston	3.98	0.63	4.05	0.62
Loughborough	0.56	0.03	0.57	0.03
Olden	0.16	.00	0.16	.00
Oso	0.24	0.00	0.27	0.00
Palmerston & North & South Canonta	0.12	0.00	0.12	0.00
Pittsburgh	1.04	0.13	1.14	0.13
Portland	0.55	0.03	0.56	0.03
Storrington	0.65	0.03	0.67	0.03
Wolfe Island	0.17	0.09	0.19	0.09
COUNTY TOTAL	9.00	1.00	9.00	1.00
TOTAL COUNTY & CITY	15.00	3.00	15.00	3.00

Table A5.4:

Summary of Results - Waterloo

TOTAL # TRUSTEES

20

WATERLOO	SIMULATION #1 STATUS QUO		SIMULATION #2 STATUS QUO - RES ONLY AEF	
MUNICIPALITY	PUBLIC	SEPARATE	PUBLIC	SEPARATE
CITY				
Kitchener	6.22	1.93	6.30	1.95
Waterloo	3.33	0.68	3.54	0.72
Cambridge	3.32	0.96	3.10	0.89
CITY SUBTOTAL	13.00	4.00	13.00	4.00
TOWNS				
VILLAGES				
TOWNSHIPS				
Dumfries North	0.45	0.00	0.44	0.00
Wellesley	0.54	0.00	0.54	0.00
Wilmot	0.86	0.00	0.86	0.00
Woolwich	1.15	0.00	1.16	0.00
COUNTY TOTAL	3.00	0.00	3.00	0.00
TOTAL COUNTY & CITY	16.00	4.00	16.00	4.00

Table A5.5:

Summary of Results - Perth County

TOTAL # TRUSTEES

16

PERTH COUNTY	SIMULATION #1 STATUS QUO		SIMULATION #2 STATUS QUO - RES ONLY AEF	
MUNICIPALITY	PUBLIC	SEPARATE	PUBLIC	SEPARATE
CITY				
Stratford	3.26	0.59	4.25	0.78
St Marys	0.66	0.09	0.88	0.12
CITY SUBTOTAL	4.00	1.00	5.00	1.00
TOWNS				
Listowel	0.74	0.02	0.89	0.03
Mitchell	0.43	0.02	0.53	0.03
VILLAGES				
Milverton	0.17	.00	0.23	.00
TOWNSHIPS				
Blanshard	0.87	0.04	0.78	0.05
Downie	0.80	0.13	0.65	0.12
Easthope North	0.80	0.02	0.81	0.03
Easthope South	0.48	0.05	0.50	0.06
Ellice	0.73	0.25	0.57	0.23
Elma	1.51	0.03	1.02	0.02
Fullarton	0.73	0.04	0.54	0.04
Hibbert	0.41	0.16	0.33	0.15
Logan	0.76	0.15	0.62	0.14
Mornington	0.85	0.09	0.80	0.09
Wallace	0.71	0.01	0.73	0.01
COUNTY TOTAL	10.00	1.00	9.00	1.00
TOTAL COUNTY & CITY	14.00	2.00	14.00	2.00

Table A5.6:

Summary of Results - Fort Frances-Rainy River

TOTAL # TRUSTEES

14

FORT FRANCES- RAINY RIVER	SIMULATION #1 STATUS QUO		SIMULATION #2 STATUS QUO - RES ONLY AEF	
MUNICIPALITY	PUBLIC	SEPARATE	PUBLIC	SEPARATE
CITY				
CITY SUBTOTAL	0.00	0.00	0.00	0.00
TOWNS				
Fort Frances	4.90	0.75	5.57	1.60
Rainy River	0.57	0.03	0.51	0.05
VILLAGES				
TOWNSHIPS				
Alberton	0.98	0.00	0.86	0.12
Atwood	0.29	0.00	0.34	0.01
Blue	0.15	0.07	0.08	0.00
Chapple	1.03	.00	0.61	0.00
Dilke	0.09	0.03	0.09	0.06
Emo	0.88	0.01	0.82	0.02
Lavalle	0.87	0.01	0.69	0.02
McCrosson & Tovell	0.31	0.00	0.23	0.00
Morley	0.46	0.06	0.36	0.08
Morson	0.47	0.00	0.42	0.00
Worthington	0.09	.00	0.06	.00
Kingsford Imp't District	0.12	0.00	0.08	0.00
Rainy River Unorg'd	1.79	0.03	1.30	0.04
COUNTY TOTAL	13.00	1.00	12.00	2.00
TOTAL COUNTY & CITY	13.00	1.00	12.00	2.00

Table A5.7:

Summary of Results - Lake Superior

TOTAL # TRUSTEES

14

LAKE SUPERIOR	SIMULATION #1 STATUS QUO		SIMULATION #2 STATUS QUO - RES ONLY AEF	
MUNICIPALITY	PUBLIC	SEPARATE	PUBLIC	SEPARATE
CITY				
CITY SUBTOTAL	0.00	0.00	0.00	0.00
TOWNS				
VILLAGES				
TOWNSHIPS				
Manitouwadge	3.08	1.44	2.00	1.09
Marathon	2.06	0.14	3.00	0.24
Schreiber	1.48	1.36	1.20	1.27
Terrace Bay	2.49	1.03	2.86	1.37
Thunder Bay Unorg'd	0.89	0.03	0.94	0.03
COUNTY TOTAL	10.00	4.00	10.00	4.00
TOTAL COUNTY & CITY	10.00	4.00	10.00	4.00

Volume

3

ALTERNATIVE APPROACHES TO DETERMINING DISTRIBUTION OF SCHOOL BOARD TRUSTEE REPRESENTATION

VOLUME III

Effects of Bill 30 (July 4, 1985) and Bill 75 (December 12, 1985) on Trustee Representation

EDWARD H. HUMPHREYS
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VICTORIA E. GRABB
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This research project was funded under contract by the Ministry of Education, Ontario.

It reflects the views of the authors and not necessarily those of the Ministry.

The Honourable Sean Conway, Minister
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ABSTRACT

This study, which has been reported in three volumes, was commissioned to examine alternative approaches to the determination of the distribution of school board trustee representation. The purposes of this study were:

1. to examine the basic philosophical issues related to the question of what or who school trustees represent; and

2. to identify alternative methods for the allocation of representation and the data bases needed to apportion trustee positions on school boards in Ontario.

Volume 1 addressed the philosophical and theoretical foundations of representation and examined the Canadian experience and practice with respect to school board representation. In Volume 2, the authors reported on interviews conducted in a number of school board jurisdictions in Ontario to explore past experience with the current system of apportioning trustee representation. In addition, a number of simulations was carried out to test the efficacy of alternative means of distributing trustee positions. On the basis of conclusions drawn from interviews and of the results of the simulations, a number of recommendations was made for changes in the Ontario system. One important underlying premise of these recommendations was that democratic

representation should be based upon the principle of "one person, one vote".

The authors concluded that, in keeping with this principle, representation should not only be both equitable and equal - but be perceived to be so. The basis on which representation is determined should be consistent (between jurisdictions) and stable (over time) such that changes in the distribution patterns of trustees reflect real and persistent changes in the distribution of the population being represented. In addition, stability and consistency would serve to promote identification by electors with a relatively defined pattern of trustee positions within school board jurisdictions. This identification, in turn, would promote higher levels of awareness and greater participation both by voters at the ballot box and by constituents between elections.

The specific recommendations from Volume 2 may be found in Appendix 1.1.

This companion volume continues the consideration of equitable representation by examining a number of related issues. First, the effects of proposed legislation (Bill 30, which provides for the extension of funding for separate schools; and Bill 75, which provides for governance of minority language instruction) on patterns of trustee representation are simulated and discussed. Second, the method for determining the total number of trustees to be elected to each school board is examined and an alternative method is proposed. Third, the basis for determining the number of trustees to be elected pursuant to Bill 75 is questioned and an alternative, based on population, is proposed. The effects of adopting proposed alternatives are also simulated and discussed. Finally, simulations are carried out to illustrate the interaction between the board level proposals developed in this volume with the recommendations made in Volume 2 for apportionment of trustee positions among school board jurisdictions. A series of recommendations is made, including recommendations for an integrated method for determining the total number of trustees to be elected to a school board and for apportioning trustee positions among board jurisdictions.

PREFACE

At the time this study was conducted during April and May of 1986, Bill 30 and Bill 75 had not yet been passed into law. When these bills were passed in June and July of 1986, respectively, they had been changed somewhat from the earlier versions used as a basis for the analyses presented here.

As for Bill 30, our work was based on Bill 30 - An Act to amend the Education Act as it was presented for first reading on July 4, 1985. As far as we can determine, there are no changes in the final version of the bill that would change in any way the conclusions of this study.

As for Bill 75, our work was based on Bill 75 - An Act to amend the Education Act as presented for first reading on December 12, 1985. As passed, Bill 75 - An Act to amend the Education Act and the Municipality of Metropolitan Toronto Act differed in at least one significant way from the original bill. The final version permits the election of trustees to French-language sections of school boards from electoral areas (section 277i (3)) rather than requiring at-large elections. This change is similar to that suggested in our recommendation 7.4, except that the process by which apportionment is to be made is different and there is no indication of the criterion to be used in making apportionments. Otherwise, we believe that the conclusions drawn in this study continue to be valid and remain as a sound basis for the recommendations we have made.

EXECUTIVE SUMMARY

In this study, we examined the way in which representation on school boards in Ontario is determined at the present time and the changes that could result from the implementation of Bill 30 (which provides for the full funding of Roman Catholic separate school education) and Bill 75 (which provides for minority-language governance). We have noted a number of practical problems which arise from the current method and which might arise once Bills 30 and 75 have been enacted.

At the present time, the total number of trustees to be elected to each of the school boards in Ontario is determined by reference to one of several schedules set out in legislation (see table 3.1). This total is then apportioned among public and separate school trustee positions (for boards of education) and among the muncipalities that comprise the school board jurisdiction according to formulas also set out in legislation. The method for carrying out this apportionment is currently based on proportional equalized residential and farm assessment (see Appendix 1.2 for details of the apportionment process).

Bill 30 allows RCSS boards to act as secondary school boards. Where an RCSS board so chooses, separate school trustees will no longer be elected to the board of education having the same or part of the same jurisdiction as that RCSS board. The schedules set out in legislation, according to which the total number of trustees to be elected to a school board is determined, are to remain unchanged. The procedure for apportioning trustee positions among public and separate school trustees is to be carried out in order to calculate the number of trustees to be elected by public school electors, although no separate school trustees would be elected. Although the school board would, in such cases, be comprised only of public school trustees, the number of public school trustees to be elected would continue to be determined as the result of the apportionment calculation.

Bill 75, as part of the provision for minority-language governance, stipulates that there be a French-language section of any school board which offers instruction to French-language pupils or which contracts with another board for instruction in the French language of 300 pupils or 10 per cent of the resident pupils of the board, whichever is less. If English is the minority language of instruction, an English-language section of the board would be required if the board offered instruction to English-language pupils or contracted with another board for instruction in English of 300 pupils or 10 per cent of the resident pupils of the board, whichever is less. The number of minority-language trustees is to be determined on the basis of proportional enrolment. That is, for example, the proportion that French-language enrolment represents of total enrolment is to be applied to the number of trustees to be elected to the board. The resulting number of trustees (which would be included in the total number of trustee positions on the board) would be elected to the minority-language section of the board. Because there is to be a minimum of three trustees elected to the minority-language section of the board, however, extra trustee positions might be created and would be added to the board total if the application of the proportional-enrolment formula did not generate at least three minority-language trustee positions.

We simulated the patterns of school board trustee representation that would result from the application of the provisions of Bill 30 and Bill 75. We observed that Bill 30 will result in fewer trustees being elected than at the present time to boards of education having the same or part of the same jurisdiction as RCSS boards that choose to offer secondary education. The residual size of the school board will not reflect the size of the population of public school supporters, but rather the combined effects of the schedule (based on total population) and the decisions of the RCSS boards.

The decrease in number of trustees on boards of education affected by RCSS boards that act as secondary boards may also present problems in terms of the operation of Bill 75. The smaller the number of trustees on a school board, the higher the proportion of minority-language enrolment must be to generate three trustees.

We noted that the determination of the number of French-language trustees to be elected to minority-language sections of boards of education and to be included in the board total did not take account of the denominational support group to which these trustees and their electors belonged. One of the unintended consequences of Bill 75, therefore, would be to disproportionately reduce the representation of public school supporters and effectively increase the representation of separate school supporters on boards of education.

We looked at the current basis for determining the total number of trustees to be elected to school boards in Ontario and concluded that the present method is inconsistent in the way in which it relates levels of population to the number of trustees to be elected to a given board.

We concluded that there was a need for a method of determining the total number of trustees to be elected to school boards which had a consistent effect between boards of different types: smaller and larger; urban, county, and combined boards; and, in anticipation of Bill 30 and Bill 75, boards of education having only public school trustees, boards of education having both public and separate school trustees, and separate school boards; and school boards with and without minority-language trustees.

An alternative method for determining the number of trustees on a school board, referred to as the "additive method", was outlined and further simulations were carried out to illustrate the effects it would have on patterns of representation.

RECOMMENDATIONS

The conclusions reached in this study led to a number of recommendations, restated here from chapter 7.:

7.1 That apportionment of trustee positions be based upon total population of supporters and dependants.

7.2 That the individuals charged with the task of determining apportionment be enjoined to use the variance of 10 per cent in the values of the criterion for apportioning representation (recommendation 2.9, Volume 2) to: (a) create electoral districts with a traditional or community focus, and (b) to compensate for low density or extreme distances that might otherwise characterize some electoral districts.

7.3 That the results of relying upon recommendation 7.2 be monitored to determine if there is a need for modifications to the apportionment method.

7.4 That minority-language-trustee positions be apportioned among municipalities in the same manner as other trustee positions are apportioned.

7.5 That the following method be employed to determine the number of trustees to be elected by public and separate school electors:

(1) the following formula be applied to the group with a majority of population:

Population	Ratio	Maximum Number
less than 4 500	1/750	6 (min. board size)
4 500 - 9 499	6 plus 1/1 000	11
9 500 -99 499	11 plus 1/15 000	17
99 500 and more	17 plus 1/75 000	--

(2) the resulting number of trustees be divided into the population of the majority group to determine the ratio of representation; and

(3) the ratio of representation be divided into the population of minority group(s) to determine the number of trustees to be elected by minority group(s); and

(4) the total number of trustees to be elected to the board be the sum of the number to be elected by each constituent group to be represented on the board.

7.6 That the method outlined above be applied also to the determination of the number of minority-language trustees to be elected.

7.7 That population (total population of supporters and dependants) be enumerated in four categories: (1) public school supporters entitled to and required/choosing to vote for English-language trustees; (2) public school supporters entitled to and required/choosing to vote for French-language trustees; (3) separate school supporters entitled to and required/choosing to vote for English-language trustees; and (4) separate school supporters entitled to and required/choosing to vote for French-language trustees.

7.8 That the minimum number of minority-language trustees to be elected to school boards for which a minority-language section is required be one trustee or a number equal to 10 per cent of the trustees to be elected on the basis of the method proposed above, rounded up if the fraction is 0.5 or greater (whichever is greater).

7.9 That where the minimum number of minority-language trustees elected to a school board pursuant to recommendation 7.7 above is less than three, a French Language or English Language Advisory Committee be established to provide a forum for deliberation and decision with respect to those matters which are the purview of the minority-language section of the board; and

that minority-language trustees elected to the board be members of the Advisory Committee; and that the decisions of the Advisory Committee on issues within the exclusive jurisdiction of the minority-language section of the board be conveyed to the board as decisions of the minority-language section of the board; and

that minority-language trustees have the same rights and responsibilities as other board members on non-exclusive issues.

7.10 That entitlement to minority-language trustees on a board of education be determined for each tax-support group but that, where both public and separate minority-language groups would be represented on a board of education, the two groups elect a single group of trustees.

7.11 That, where an RCSS board chooses to act as a secondary school board in respect of instruction in the language of the majority but not to provide secondary instruction in the language of the minority, minority-language separate school electors would continue to elect trustees to the board of education having the same or part of the same jurisdiction as the RCSS board in question.

7.12 That the Ministry ensure that any changes in the procedures for determining school board trustee representation are fully and clearly explained to the public and to those who will be involved in the determination process.

These recommendations are consistent with democratic principles of representation. The population of the various electorates would be clearly linked to the number of trustees whom they would elect. Representation of minority groups would be ensured on a basis that is consistent with the basis used to determine representation for majority groups. The use of the proposed method for minority-language representation would minimize any distinction between types of trustees and would contribute to the objective of minority-language governance. At the same time, no group would be represented at the expense of any other group. The integrated method proposed above and illustrated in this study would ensure that representation was not only equitable but perceived to be so. Finally, the use of a single criterion (population) for all aspects of determination and apportionment will ensure that the various steps in the procedure are consistent with and support each other.

CHAPTER 1

INTRODUCTION

BACKGROUND TO THE PRESENT STUDY

This is the third and final volume of a comprehensive study of school board trustee representation. The purposes of this study were:

1. to examine the basic philosophical issues related to the question of what or who school trustees represent, and
2. to identify alternative methods for the allocation of representation and the data bases needed to apportion trustee positions on school boards in Ontario.

Volume 1 addressed the philosophical and theoretical foundations of representation and examined the Canadian experience and practice with respect to school board representation. In Volume 2, the authors reported on interviews conducted in a number of school board jurisdictions in Ontario to explore past experience with the current system of apportioning trustee representation. In addition, a number of simulations was carried out to test the efficacy of alternative means of distributing trustee positions. On the basis of conclusions drawn from interviews and of the results of the simulations, a number of recommendations was made for changes in the Ontario system. One important underlying premise of these recommendations was that democratic representation should be based upon the principle of "one person, one vote".

The authors concluded that, in keeping with this principle, representation should not only be both equitable and equal - but be perceived to be so. The basis on which representation is determined should be consistent (between jurisdictions) and stable (over time), such that changes in the distribution patterns of trustees reflect real and persistent changes in the distribution of the population being represented. In addition, stability and consistency would serve to promote identification by electors with a relatively defined pattern of trustee positions within school board jurisdictions. This identification, in turn, would promote higher levels of awareness and greater participation both by voters at the ballot box and by constituents between elections.

The specific recommendations from Volume 2 may be found in Appendix 1.1.

This companion volume continues the consideration of equitable representation by examining a number of related issues. First, the effects of proposed legislation (Bill 30, which provides for the extension of funding for separate schools; and Bill 75, which provides for governance of minority-language instruction) on patterns of trustee representation are simulated and discussed. Second, the method for determining the total number of trustees to be elected to each school board is examined and an alternative method is proposed. Third, the basis for determining the number of trustees to be elected pursuant to Bill 75 is questioned and an alternative, based on population, is proposed. The effects of adopting proposed alternatives are also simulated and discussed. Finally, simulations are carried out to illustrate the interaction between the board-level proposals developed in this volume with the recommendations made in Volume 2 for apportionment of trustee positions within school board jurisdictions. A series of recommendations is made, including recommendations for an integrated method for determining the total number of trustees to be elected to a school board and for apportioning trustee positions within board jurisdictions.

Determining and Apportioning Trustee Numbers - The Current System

In Ontario, the system for determining the number of trustees to be elected and by whom they are to be elected is quite complex. There is a variety of types of school boards and each type is governed by a somewhat different formula for calculating the overall number of trustees to be elected, and for allocating them among the electorate to be represented. These formulas are found in various pieces of legislation, with some boards covered by specific legislation enacted to address a unique situation (for example, Ottawa-Carleton, Metropolitan Toronto). A full discussion of the several formulas is to be found in Appendix 1.2.

Because, historically, separate schools have received public funding only for elementary education (defined in this case as Kindergarten and Grades 1 through 10), separate school electors have elected separate school trustees to boards of education to represent their interests with respect to secondary education.

In spite of the variety of specific legislation and formulas, the basic approach to the determination of trustee representation has two elements: calculation of the total number of trustees to be elected to a given board, and distribution of those trustees within the jurisdiction. The first step, determining the overall number, is based upon the population of the jurisdiction, including both public and separate school supporters and their dependants. The second step, assignment of trustee positions to groups of electors, is proportional to each group's share of the equalized residential and farm assessment. (Defined city boards are an exception to this rule. Where such boards conduct elections on a ward basis, wards are determined on the basis of population.)

Once the total number of trustees to be elected has been determined according to the various tables that set out the number of trustees for different types of boards at various levels of population, trustees are apportioned within the jurisdiction.

In the case of boards of education, apportionment involves three steps: (1) determining how many trustees are to be elected by public school electors and how many by separate school electors; (2) determining how many of each of the two groups identified in the first step are to be elected by the electors of the city(ies); and (3) allocating the remaining trustee positions to county or district municipalities. In the case of separate school boards, the first step is unnecessary.

The first two steps (one step in the case of the separate school boards) are, again, governed by formulas set out in legislation. The final step is carried out by county or municipal clerks under the general direction that representation be related to proportional equalized residential and farm assessment.

Volume 2 examined the way in which trustees are distributed within jurisdictions and considered alternatives to assessment as the basis for representation. Recommendations were made which proposed that equalized residential and farm assessment be discarded as the basis for apportioning trustee positions within school board jurisdictions and that a method based on population (with some modification to take account of problems associated with low density and/or representation of large numbers of municipalities) be adopted instead. (See Appendix 1.1.)

Proposed Legislative Change: Bill 30

Bill 30, which received first reading on 4 July 1985, is an Act to amend the Education Act in order to extend public funding to

Roman Catholic secondary schools. If the amendment were approved in its current state, a separate school board would be able to "elect" to perform the duties of a secondary board for its area of jurisdiction by passing a by-law of the board. The Bill would require such a by-law to be transmitted to the Ministry, after certification by the secretary of the board in question, and would require the approval of the Minister on advice of the Planning and Implementation Commission. On approval, the Ministry would notify the Commission, the secretaries of all other boards of education in the same jurisdiction, the clerks of all municipalities within the area of jurisdiction of the board, and the appropriate assessment commissioner (section 136a).

Beginning with the 1988 elections (section 136i (2)), separate school electors would no longer elect members to a board of education that has the same or part of the same area of jurisdiction as the Roman Catholic school board (section 136i (1)); that is, a Roman Catholic separate school board that offers secondary education. Any member elected by separate school electors to a board of education would no longer be eligible to sit on that board as of the end of the first calendar year in which the Roman Catholic school board performed the duties of a secondary school board (section 136i (3)). Nor would separate school electors in such areas be eligible for election to boards of education (section 277t(1)).

Where additional members have been elected to represent minority-language interests on a board of education (pursuant to Bill 75), and the schools in which minority-language instruction is offered have been transferred to a separate school board, these additional members would cease to be members of the board and would become members of the minority-language advisory committee of the board of education until the next election. The separate school board would be required to appoint the number of additional trustees specified by the Minister to hold office until the next regular election (section 277u).

Bill 30 stipulates that separate school electors will no longer elect trustees to boards of education having the "same or part of the same jurisdiction" as separate school boards that have elected to offer secondary education. It does not, however, provide for amendments to the procedure for determining the total number of trustees to be elected, nor for the way in which trustee positions are to be apportioned within school board jurisdictions. That is, if subsection 59(2) gave 20 as the "total" number of trustees on a board of education and public school electors held 80 per cent of all rateable assessment in the board's jurisdiction, the public school electors would have 16 positions on the board. Thus, the actual board size after enactment of Bill 30 would be 16.

Proposed Legislative Change: Bill 75

Bill 75 is an Act to amend the Education Act in order to provide for the governance of French-language instruction where English is the language of the majority and for the governance of English-language instruction where French is the language of the majority. Under this legislation, the right to have their children receive primary (elementary) and secondary school education in French is granted to those citizens in Ontario whose first language learned and still understood is French, or who themselves received primary or secondary education in French in Canada, or who have had or are having one of their children receive his or her elementary or secondary education in French. The Bill specifies that, starting on December 1, 1986, where a board operates a French-language instructional unit, French-language governance must take place by means of a French-language education council, and on December in 1988, a French-language section must be elected to a board operating a French-language instructional unit (section 277d (1)).

In a board where no French-language instructional units are in operation, but where an agreement has been made with another board to provide instruction in a French-language instructional unit for one or more pupils of the "home board", 10 or more ratepayers entitled to have their children receive French-language instruction under the Canadian Charter of Rights and Freedoms (section 23 (1), (2)) may apply in writing to their own board for the establishment of a French-language advisory committee (section 262(1)(b) and (d)). As of 1 December 1988, section 262(1)(c) of Bill 75 will come into effect and will require establishment of an Advisory Committee if the board has made agreements to educate fewer than 300 resident pupils who constitute less than 10 per cent of the total calculated enrolment of resident pupils of the board.

A French Language Advisory Committee (FLAC) will consist of a maximum of nine members and a minimum of six members. Six persons who are not members of the board are to be elected to the committee and up to three members of the board may be appointed to the committee. In order to be elected or appointed as a committee member, individuals must, in addition to normal qualifications for board membership, have the right under the Canadian Charter of Rights and Freedoms to have their children educated in French. Only the chairperson of the committee or a designate may attend board meetings in the same manner as a regular board member. At board meetings, the FLAC chairperson may participate in discussions of any matters pertaining to the jurisdiction of the committee under section 267 (1) of the Education Act (that is, matters relating to the educational and cultural needs of French-speaking pupils and the French-speaking community), and may present to the board recommendations from the committee on such matters (section 268). Section 268(1)(a) specifies that the chairperson has the right to "attend meetings of the board in the same manner as a member of the board".

In 1988, French-language sections of school boards will be established in cases where: French-language resident pupils constitute a minority (section 277d (4)) and the board operates a French-language instructional unit (section 277d (1)) or has made agreements with another board or boards to provide French-language instruction to a calculated enrolment of more than 300 resident pupils (section 277d (2)) or more than 10 per cent of the resident pupils (section 277d (3)).

The procedure for determining the number of French-language trustees is as follows:

> The number of members of the French-language section of the board in relation to the total number of members of the board is determined by applying the following ratio to the total number of trustees to be elected to the board:
>
> $$\frac{\text{CALCULATED ENROLMENT OF FRENCH-LANGUAGE RESIDENT PUPILS OF THE BOARD}}{\text{TOTAL CALCULATED ENROLMENT OF RESIDENT PUPILS OF THE BOARD}}$$
>
> (section 277f (1)1.)

Because the total size of the school board is to remain the same as provided for in other sections of the Act, the number of members elected by the non-French-language sector will be reduced by the number of members elected to the French-language section of the board (section 277f (1)2.). There is provision for minimum representation, however, and at least three members must be elected to the French-language section of the board. If the formula generates entitlement to fewer members, the size of the board is to be increased by three minus the number of members dictated by the application of the formula (section 277f (1) 3., 4.). A maximum of three members may be added to the board.

Electors must choose to vote either for representatives on the French-language section of the board or for trustees on the "regular" board (section 277h (2)). The members of the French-language section are to be elected at large, by a general vote of the qualified electors (section 277i (1)). These electors have a choice with respect to which type of trustee they wish to elect but they may not vote for both types. In order to qualify to vote for French-language trustees, an elector must be entitled to vote in regular school board elections and entitled under section 23 of the Canadian Charter of Rights and Freedoms to have his or her children educated in the French language in Ontario (section 277h (1)).

The Ministry is responsible for determining calculated enrolments (of French-language resident pupils, of other resident pupils, and the totals for each board) and the number of members to be elected to the French-language section of each board in the next election (section 277o (1), (2)).

When the Ministry determines from its calculations that there must be a French-language section of a board, the Minister must notify the board and the Commission of the results of the calculation, the proper returning officer of the number of members to be elected to the French-language section of the board, the appropriate assessment commissioners, and the public (by public notice) that the board qualifies to have a

French-language section and the number of members to be elected to it (section 277o (6)). These notifications are to be made by 1 July of an election year and may be appealed on the basis of contending the accuracy of the calculations by 15 July by any member of the board, the Commission or a committee (section 277o (7)).

If a board ceases to qualify for a French-language section, the Minister may dissolve it by order and, if this occurs, a board must then establish a French Language Advisory Committee within two months of the dissolution (section 277q).

In the interim period between the passage of the Bill and the 1988 elections, French-language education councils must be established in every board where a French-language instructional unit is in operation and French-language students are the minority (section 277u). The number of members of the council is determined according to the formula used to determine the number of members to be elected to a French-language section of the board. Any or all members of the board who would be eligible to be members of the French-language education council may elect to sit on the council but must elect to do so in writing. If fewer than the required number so elect, the remaining number of members must be elected in the manner prescribed for a French Language Advisory Committee. There must be a minimum of three members on the council (section 277v).

All of the above conditions apply in the same manner to English electors and board members where English is the language of the minority.

PROPOSED LEGISLATION: EFFECTS

Each bill, individually, has implications for school boards in Ontario. Bill 30 will result in fewer trustees being elected to those boards of education having "the same or part of the same area of jurisdiction" as a separate school board that has elected to offer secondary education. Because not all separate school boards will necessarily do so, there will be solely public boards, solely separate boards, and boards of education that continue to include trustees elected by public school electors and trustees elected by separate school electors. Any method for determining the number and distribution of trustees must reflect this variety of school board composition.

Bill 75 will result in an additional dimension for those school boards which offer, or contract with other board(s) for specified levels of, French-language instruction when English is the language of the majority, or English-language instruction when French is the language of the majority. For some boards, minority-language trustees will be additional; for others some or all of these trustees will be included in the usual total number of trustees.

The interaction of the two pieces of legislation adds a further complexity. Boards may include as many as three types of trustees elected pursuant to legislative procedures (public, separate, and minority-language) or as few as one (public or separate trustees only). Several calculations will be required for the apportionment of trustees: first, determination of the total number according to the appropriate schedule; second, calculation of the number of minority-language trustees to be elected if the board offers instruction in the minority language (or, as of December 1, 1988, contracts with other board(s) for the provision of such instruction to at least 300 resident pupils or 10 per cent of the calculated resident enrolment of the board); third, in the case of boards of education, calculation of the number of public school trustee positions and, where separate boards have not extended, the number of separate school trustees; and, finally, apportionment among municipalities if there is more than one within the board's jurisdiction.

At the present time, these determinations are based on different criteria. The basic total number of trustees is based on total population, including both public and separate school supporters and their dependants. The number of minority-language trustees is to be based on the calculated enrolment of resident pupils. Apportionment between public and separate school trustees and among municipalities is based on proportional equalized residential and farm assessment.

These calculations are successively dependent. That is, a change in the factors on which one step is based requires recalculation of all subsequent steps.

AN OUTLINE OF THE PRESENT STUDY

Three separate but related issues are examined in this volume: (1) the effect of proposed legislation on trustee numbers and distribution; (2) the method of determining the total number of trustees to be elected to a given school board; and (3) the basis for calculating entitlement to trustee representation under Bill 75.

We anticipate that Bills 30 and 75, individually and in combination, will add to the complexity of determining trustee representation. In chapter 2, the effects of these bills on the overall makeup of school boards in Ontario is simulated in order to (1) illustrate the effects of the proposed legislation; (2) identify potential problems; and (3) anticipate the consequences of these bills for the composition of school boards and for the extent to which the results are both understood and accepted. Any change in legislation engenders some uncertainty and, potentially, resistance. The concurrent introduction of two bills, both of which have implications for trustee representation (as well as for other sensitive political concerns) is likely to heighten the emotional response. It is therefore especially important that individuals not feel that they have lost representation to the benefit of another group, and that electors be able to identify clear links between representation and the basis for entitlement to that representation.

The present method of determining the total number of trustees to be elected may be problematic even in the absence of legislative change. We anticipate that inequities or anomalies of representation (both real and perceived) will become more extreme as a result of the proposed legislation. An alternative method of arriving at the total number of trustees on a school board is arguably desirable even if neither Bill 30 nor Bill 75 are enacted. If either is enacted, however, and particularly if both are, the case for an alternative method is strengthened. The need for an alternative and a proposal for one are discussed in chapter 3.

In chapter 4, the proposed alternative is simulated for the current situation (i.e., in the absence of other legislative change) and for the proposed bills (singly and in combination).

The basis proposed for determining entitlement to minority-language (generally French) trustees is the calculated enrolment of resident pupils. This method will involve an extremely complicated preliminary calculation, prepared by staff of the Ministry of Education, to determine the number of resident pupils. In addition, the use of enrolment, however calculated, is a significantly dissimilar basis from population (recommended in Volume 2 as the basis for apportionment) or equalized residential and farm assessment (the actual current basis for apportionment). The latter methods rely upon bases that reflect, in some way, all supporters and electors. The basis proposed under Bill 75 reflects only those who use the system, not the balance of the taxpayers and/or voters. In chapter 5, the effects of using enrolment and the results that would arise from the use of population only, are compared and discussed.

In chapter 6, the methods of apportionment recommended in Volume 2 and the current method of apportionment are simulated for a sample of school boards to illustrate the effects of the two bills (singly and in combination) using current total numbers of trustees and the alternative proposed in chapter 3.

The authors contend that the method for determining the total number of trustees to be elected to a school board and all elements related to the apportionment of these positions should be consistent and should enhance stability. Stability is important for fostering identification by the electorate with "electoral districts" - a factor which the authors believe is critical for encouraging both awareness and participation. In chapter 7, the authors recommend a feasible integrated method for determining the number of trustees to be elected to a school board and the apportionment of representation within school board jurisdictions.

Because of the controversy surrounding aspects of this legislation, it must be noted that it is not within the scope of this study to question the intent of either bill. The authors have taken it as a given fact, for the purposes of this study, that both bills will be enacted. In simulating each separately, the intention has been to isolate the effects each may have on patterns of trustee representation in order to understand more clearly their interactive effects.

Although, in some cases, the study offers critiques of mechanisms proposed in the bills, these are provided with a view to ensuring that neither results in unforeseen consequences; that the system of determining trustee representation is rational and feasible in mechanical terms; that representation is equitable and consistent with democratic principles; that the rationale underlying the determination of trustee representation is understood and accepted; and that, in meeting the criteria listed above, the system of determining representation encourages awareness and participation.

CHAPTER 2

EFFECTS OF PROPOSED LEGISLATION (BILL 30 & BILL 75) ON THE DISTRIBUTION OF SCHOOL BOARD TRUSTEES (CURRENT PROVISIONS)

The scope of this study is limited to the effects each of the proposed bills will have, individually and in combination, on patterns of representation for school boards in Ontario. The simulations conducted for this chapter were designed to illustrate these effects and to identify any potential difficulties that might arise, with respect either to the results or to the mechanism employed to determine representation.

METHODOLOGY

The data were selected for this study in order to simulate the effects that would have resulted for the 1985 elections if the proposed bills had been in place. It is therefore possible to compare the reported results to the present situation. Projections to 1988 (an alternative approach that might have been employed) would have involved making assumptions about population levels, proportional equalized residential and farm assessment, student-enrolment levels, and patterns of enrolment distribution. It seemed preferable to rely upon as many known quantities as possible in conducting the simulations and to use as a point of comparison the current distribution of school board trustees, with which everyone is familiar.

The population data used in this study are 1985 figures (although the 1982 figures were actually used to determine board size in the 1985 election). This has no effect on the simulations of the two bills under current provisions because the actual numbers of trustees elected in 1985 were used as the basis for them. The simulations based on population (see chapters 4, 5, and 6) are, however, affected by the more recent census figures. The decision to use 1985 population figures (rather than the 1982 data) was made in order to ensure that any differences in outcome were not an artifact of the passage of time but rather the result of differences in the mechanisms employed. This decision is also consistent with the authors' recommendations (Volume 2) that determinations of representation and collection of the necessary data be carried out earlier in an election year in order to base calculations on information which is as current as possible.

For the purposes of calculating the number of minority-language trustees, Bill 75 dictates the use of calculated enrolment as of the 30th day of September of the year immediately preceding the year in which a regular election is held (section 277o (5)). We have, therefore, used calculated enrolments from 1984 as the basis for simulating the effects on the 1985 election if this Bill had been in place. In simulating the effects of Bill 75, we have used the provisions that will come into effect for the 1988 and subsequent elections, rather than the interim provisions of the Bill.

The current numbers of trustees reported and used as the basis for subsequent steps in the simulations are actual numbers, as elected in the 1985 elections.

It should be noted that for most of the simulations conducted for this study the sample used includes all boards of education and RCSS boards in the province but does not include District School Area Boards, Canadian Forces Bases Boards, or Boards generally known as "other" boards. Some simulations were conducted to examine particular aspects of the issues in greater detail and employed a smaller sample. These exceptions will be noted as part of the discussion of those simulations. For full references for the data and data sources, please refer to Appendix 2.1.

Bill 30

Bill 30 provides that, for those boards of education "having the same or part of the same jurisdiction as" a separate school board that has elected to offer secondary education, separate school trustees will no longer be elected to the board. There is no provision for changing the total size of these boards as set out in the legislative schedules, however, and the number of trustees to be elected by public school electors would continue to be determined on the basis of the proportional equalized residential and farm assessment rateable for public school purposes (relative to the total rateable equalized residential and farm assessment).

For the purposes of this study, it was assumed that the number of public school trustees would remain the same and that the effective size of the board of education would equal the number of public trustees. This number would be subject to change from election to election - the total population of the board's jurisdiction might increase to a level that resulted in additional trustees overall and the balance between equalized property values for public and separate school supporters might change.

Bill 30 has no direct effect on the number of trustees to be elected to a separate school board nor on the mechanisms for apportioning that representation. (There may be indirect effects, however, as a result of the interaction of Bill 30 and Bill 75; these are discussed below.)

Bill 75

For this simulation, the program was written to distinguish between those boards in which French constituted the minority (of calculated enrolment) and those in which English represented the minority. The data that were provided did not specify whether the student numbers reflected enrolment in instructional units operated by the board or instruction purchased by the board from another board. It was assumed, therefore, that all calculated enrolment was in instructional units operated by the board and that (pursuant to section 277d (1)) a French (or English)-language section of the board was required.

The number of minority-language trustees was calculated on the basis of the proportion the group represented of total calculated enrolment. The resulting number of trustees was subtracted from the current total number of trustees to determine the number to be elected by the balance of the population. If the number of minority-language trustees generated by this formula was less than three, additional trustees were added to the board by subtracting the number generated by the formula from three.

For boards of education, the number of trustees to be elected to the balance of the board was reapportioned between public and separate school trustees by applying the proportion of representation each currently has to the newly determined number of non-minority-language trustees.

The overall size of the board was then recalculated by adding the number of minority-language trustees as determined by the formula, the number of non-minority-language trustees, and any extra minority-language trustees required to meet the required minimum of three.

Bill 30 and Bill 75 in Combination

For these simulations, it was assumed that there would be no apportionment between public and separate school trustees for the boards of education and that the effective size of the boards of education would be equal to the current number of public trustees. The same calculations were then made to determine representation for minority-language groups (as described above).

We also considered other interactive effects the two bills might have on enrolment patterns. Table 2.1 illustrates the patterns of French-language and English-language enrolment for boards of education offering instruction in both languages at the present time. For many of the boards in which there is French-language enrolment, there is a marked difference between elementary and secondary levels. We concluded that this reflected the lack of an RCSS secondary system at the present time and predicted that, with the implementation of Bill 30, much of the French secondary enrolment would transfer to the separate school system if extension included provision of French-language instruction at the secondary level. To simulate the effects of this possible enrolment shift on corresponding boards of education, we adjusted French secondary enrolment by reducing it to a level consistent with elementary French enrolment. The proportion that elementary French enrolment represents of total elementary enrolment was applied to total secondary enrolment to produce "adjusted French secondary enrolment levels". Total enrolment was then recalculated. We then repeated the determination of minority representation on the basis of the adjusted enrolment figures.

The original simulation of the combined effects of the two bills constructs the scenario that would result if the coterminous RCSS board offered secondary education but did not offer French-language instruction at the secondary level. The

Table 2.1: Comparative Patterns of English and French Enrolment for Boards of Education

BOARD NAME	REG	ELEM ENGLISH	SEC ENGLISH	ELEM FRENCH	SEC FRENCH
Brant	CE	10,500	6,007	1	21
Carleton	EA	22,736	15,543	322	2,313
Chapleau	MN	286	172	1	80
Cochrane Iroquois Falls	NE	1,291	748	7	547
Durham	CE	30,313	17,749	0	127
East Parry Sound	NE	2,570	1,285	0	44
Espanola	MN	1,211	952	0	91
Essex	WE	9,007	7,663	87	480
Frontenac	EA	9,545	7,507	75	12
Geraldton	NW	538	468	0	146
Haldimand	CE	4,075	2,624	0	1
Halton	CE	25,299	18,052	0	115
Hamilton	CE	24,944	15,228	0	155
Hastings	CE	10,773	7,012	1	0
Hearst	NE	334	130	3	632
Kapuskasing	NE	612	513	3	1,030
Kent	WE	10,000	6,452	0	89
Kirkland Lake	NE	1,067	963	0	253
Lake Superior	NW	1,128	883	0	29
Lambton	WE	11,587	7,186	0	72
Leeds & Grenville	EA	9,128	5,813	3	0
Lincoln	CE	16,148	10,703	0	66
London	WE	23,954	16,378	428	87
Michipicoten	MN	440	403	0	119
Middlesex	WE	6,855	4,322	4	1
Niagara South	CE	14,763	11,316	971	491
Nipissing	NE	5,076	3,724	6	1,560
Norfolk	CE	5,415	3,744	0	2
North Shore	MN	2,565	1,539	0	429
North York	CE	35,441	28,430	191	337
Northumberland Newcastle	CE	11,344	6,927	0	5
Ottawa	EA	16,714	13,085	645	2,997
Peel	CE	49,964	33,461	0	101
Prescott & Russell	EA	1,670	805	31	2,851
Renfrew	EA	7,008	5,385	3	146
Sault Ste Marie	MN	7,022	5,868	0	143
Simcoe	CE	23,887	14,899	637	358
Stormont Dundas Glengarry	EA	5,909	5,324	26	1,863
Sudbury	MN	9,679	8,296	0	2,737
Timiskaming	NE	2,356	1,520	4	512
Timmins	NE	3,061	1,834	13	1,387
Toronto	CE	40,504	33,452	556	138
Waterloo	CE	30,705	19,006	0	31
Wellington	CE	13,419	8,131	0	14
Wentworth	CE	10,269	6,497	0	19
Windsor	WE	12,322	10,130	102	259
York Region	CE	28,900	17,123	0	32
TOTAL		572,334	395,252	4,120	22,922

Boards for which no French-language enrolment was reported have been omitted from the list.

alternative simulation predicts the outcome of the RCSS board's both extending its education system and offering French-language instruction at the secondary level. The greater the variance between elementary and secondary levels of French enrolment in the public system, the more likely it is that extension would be accompanied by French-language instruction at the secondary level.

Because not all boards of education and RCSS boards encompass identical jurisdictions, it was not possible to simulate for all RCSS boards the effect of receiving the enrolment that we projected would shift from the public to the separate system. There are, however, 17 boards that are identical in jurisdiction (include the same municipalities and have the same population figures) and for this subset of boards we did simulate the corresponding effect. We simulated for all RCSS boards the effect of Bill 75 in the absence of enrolment changes (Bill 75 on its own) as described in the previous section.

The results of these simulations are reported in a number of tables and are discussed in the following sections.

RESULTS

Bill 30

Table 2.2 shows the number of trustees actually elected to boards of education in the 1985 elections (public, separate, and total trustee numbers) and the number that would constitute the size of each board if Bill 30 were enacted and all RCSS boards in the province chose to offer secondary education. The total number of trustees for each board pursuant to Bill 30 is identical to the number of trustees currently elected by public school electors.

The percentage increase/decrease in board size is also shown. A number of boards would fall below the current minimum board size of five trustees (Chapleau, Hearst, Hornepayne) while those boards on which separate school trustees currently constitute the majority will become considerably smaller (Kapuskasing, Prescott & Russell, Sudbury).

It may be that relatively smaller boards are appropriate for, and adequate to, the representation of the population of public school supporters. The size of the board which will result from the implementation of Bill 30 would not, however, be a reflection of the size of the population being represented, but rather would reflect the combined effects of the schedules based on total population and the decisions made by separate school boards. This issue is discussed in greater detail in the next chapter.

Table 2.2: Number of Trustees for Boards of Education: Currently and Pursuant to Bill 30

		CURRENT TRUSTEES			BILL 30 ONLY	
BOARD NAME	REG	# PUB	# SEP	# TOT	NUMBER (PUBLIC) TRUSTEES	DECREASE IN BOARD SIZE %
Atikokan	NW	7	1	8	7	12.5%
Brant	CE	14	3	17	14	17.6%
Bruce	WE	14	2	16	14	12.5%
Carleton	EA	16	4	20	16	20.0%
Central Algoma	MN	14	0	14	14	0.0%
Chapleau	MN	4	3	7	4	42.9%
Cochrane Iroquois Falls	NE	8	6	14	8	42.9%
Dryden	NW	13	1	14	13	7.1%
Dufferin	CE	13	1	14	13	7.1%
Durham	CE	17	3	20	17	15.0%
East Parry Sound	NE	15	0	15	15	0.0%
East York	CE	8	2	10	8	20.0%
Elgin	WE	14	2	16	14	12.5%
Espanola	MN	9	5	14	9	35.7%
Essex	WE	11	7	18	11	38.9%
Etobicoke	CE	10	4	14	10	28.6%
Fort Frances Rainy River	NW	12	2	14	12	14.3%
Frontenac	EA	15	3	18	15	16.7%
Geraldton	NW	6	3	9	6	33.3%
Grey	WE	15	1	16	15	6.3%
Haldimand	CE	13	1	14	13	7.1%
Haliburton	CE	15	1	16	15	6.3%
Halton	CE	16	4	20	16	20.0%
Hamilton	CE	16	6	22	16	27.3%
Hastings	CE	15	3	18	15	16.7%
Hearst	NE	4	8	12	4	66.7%
Hornepayne	MN	4	1	5	4	20.0%
Huron	WE	14	2	16	14	12.5%
Kapuskasing	NE	6	9	15	6	60.0%
Kenora	NW	12	2	14	12	14.3%
Kent	WE	13	5	18	13	27.8%
Kirkland Lake	NE	9	5	14	9	35.7%
Lake Superior	NW	10	4	14	10	28.6%
Lakehead	NW	13	6	19	13	31.6%
Lambton	WE	14	4	18	14	22.2%
Lanark	EA	12	2	14	12	14.3%
Leeds & Grenville	EA	14	2	16	14	12.5%
Lennox & Addington	EA	13	1	14	13	7.1%
Lincoln	CE	17	4	21	17	19.0%
London	WE	14	3	17	14	17.6%
Manitoulin	MN	14	1	15	14	6.7%
Michipicoten	MN	6	4	10	6	40.0%
Middlesex	WE	14	2	16	14	12.5%
Muskoka	NE	14	1	15	14	6.7%
Niagara South	CE	14	6	20	14	30.0%
Nipigon-Red Rock	NW	8	0	8	8	0.0%
Nipissing	NE	9	7	16	9	43.8%
Norfolk	CE	12	4	16	12	25.0%
North Shore	MN	9	5	14	9	35.7%
North York	CE	14	4	18	14	22.2%
Northumberland Newcastle	CE	15	1	16	15	6.3%

Table 2.2: Number of Trustees for Boards of Education:
Currently and Pursuant to Bill 30

		CURRENT			BILL 30 ONLY	
BOARD NAME	REG	# PUB	# SEP	# TOT TRUSTEES	NUMBER (PUBLIC) TRUSTEES	DECREASE IN BOARD SIZE %
Ottawa	EA	11	6	17	11	35.3%
Oxford	WE	14	2	16	14	12.5%
Peel	CE	16	7	23	16	30.4%
Perth	WE	14	2	16	14	12.5%
Peterborough	CE	16	2	18	16	11.1%
Prescott & Russell	EA	6	12	18	6	66.7%
Prince Edward	CE	13	1	14	13	7.1%
Red Lake	NW	9	1	10	9	10.0%
Renfrew	EA	11	5	16	11	31.3%
Sault Ste Marie	MN	13	7	20	13	35.0%
Scarborough	CE	14	3	17	14	17.6%
Simcoe	CE	18	2	20	18	10.0%
Stormont Dundas Glengarry	EA	11	7	18	11	38.9%
Sudbury	MN	9	11	20	9	55.0%
Timiskaming	NE	10	4	14	10	28.6%
Timmins	NE	7	7	14	7	50.0%
Toronto	CE	22	4	26	22	15.4%
Victoria	CE	13	1	14	13	7.1%
Waterloo	CE	16	5	21	16	23.8%
Wellington	CE	15	3	18	15	16.7%
Wentworth	CE	15	3	18	15	16.7%
West Parry Sound	NE	13	1	14	13	7.1%
Windsor	WE	10	6	16	10	37.5%
York	CE	8	2	10	8	20.0%
York Region	CE	16	4	20	16	20.0%
TOTAL		928	269	1,197	928	22.5%

There are no direct effects on the separate school boards as a result of the implementation of Bill 30. The number of trustees to be elected would remain the same.

Bill 75

The effects of Bill 75 (independent of any extension of the separate school system) are reported in tables 2.3, 2.4, 2.5 and 2.6. Those boards on which French trustees constitute the minority are included in tables 2.3 (boards of education) and 2-5 (RCSS boards). The boards on which English trustees constitute the minority are included in tables 2.4 (boards of education) and 2.6 (RCSS Boards).

Effects of Bill 75 on Patterns of Representation -
Boards of Education - Summary of Tables 2.3, 2.4

		English Majority		French Majority	
No Minority-Language Section		29	39.2%	-	--
Minority-Language Section	+3	27	36.5%	-	--
	+2	9	12.2%	-	--
	+1	4	5.4%	-	--
	+0	5	6.8%	2	100. %
TOTAL		74	100%	2	100%
		97.4%		2.6%	

Table 2.3: Effects of Bill 75 on Patterns of Representation:
Boards of Education - French Minority

		NUMBER		NUMBER		ADD'L	
BOARD NAME	REG	FRENCH	ENGLISH	PUB	SEP	TRUSTEES	TOTAL
				TRUSTEES		(IN TOT)	
Haliburton	CE	0.00	16	15	1	0	16
Red Lake	NW	0.00	10	9	1	0	10
Lanark	EA	0.00	14	12	2	0	14
Grey	WE	0.00	16	15	1	0	16
Muskoka	NE	0.00	15	14	1	0	15
Bruce	WE	0.00	16	14	2	0	16
Oxford	WE	0.00	16	14	2	0	16
Central Algoma	MN	0.00	14	14	0	0	14
Dryden	NW	0.00	14	13	1	0	14
York	CE	0.00	10	8	2	0	10
Manitoulin	MN	0.00	15	14	1	0	15
Lennox & Addington	EA	0.00	14	13	1	0	14
East York	CE	0.00	10	8	2	0	10
Prince Edward	CE	0.00	14	13	1	0	14
Atikokan	NW	0.00	8	7	1	0	8
Peterborough	CE	0.00	18	16	2	0	18
Etobicoke	CE	0.00	14	10	4	0	14
Fort Frances Rainy River	NW	0.00	14	12	2	0	14
Scarborough	CE	0.00	17	14	3	0	17
West Parry Sound	NE	0.00	14	13	1	0	14
Hornepayne	MN	0.00	5	4	1	0	5
Nipigon-Red Rock	NW	0.00	8	8	0	0	8
Huron	WE	0.00	16	14	2	0	16
Victoria	CE	0.00	14	13	1	0	14
Perth	WE	0.00	16	14	2	0	16
Dufferin	CE	0.00	14	13	1	0	14
Lakehead	NW	0.00	19	13	6	0	19
Elgin	WE	0.00	16	14	2	0	16
Kenora	NW	0.00	14	12	2	0	14
Hastings*	CE	.00	18	15	3	3	21
Haldimand*	CE	.00	14	13	1	3	17
Leeds & Grenville*	EA	.00	16	14	2	3	19
Norfolk*	CE	.00	16	12	4	3	19
Northumberland Newc*	CE	.00	16	15	1	3	19
Middlesex*	WE	0.01	16	14	2	3	19
Wellington*	CE	0.01	18	15	3	3	21
Waterloo*	CE	0.01	21	16	5	3	24
York Region*	CE	0.01	20	16	4	3	23
Wentworth*	CE	0.02	18	15	3	3	21
Brant*	CE	0.02	17	14	3	3	20
Peel*	CE	0.03	23	16	7	3	26
Lincoln*	CE	0.05	21	17	4	3	24
Durham*	CE	0.05	20	17	3	3	23
Halton*	CE	0.05	20	16	4	3	23
Lambton*	WE	0.07	18	14	4	3	21
Hamilton*	CE	0.08	22	16	6	3	25
Frontenac*	EA	0.09	18	15	3	3	21
Kent*	WE	0.10	18	13	5	3	21
North York	CE	0.15	18	14	4	3	21
East Parry Sound*	NE	0.17	15	15	0	3	18
Renfrew*	EA	0.19	16	11	5	3	19

Table 2.3: Effects of Bill 75 on Patterns of Representation:
Boards of Education - French Minority

BOARD NAME	REG	NUMBER FRENCH	ENGLISH	NUMBER PUB TRUSTEES	SEP	ADD'L TRUSTEES (IN TOT)	TOTAL
Lake Superior*	NW	0.20	14	10	4	3	17
London	WE	0.21	17	14	3	3	20
Sault Ste Marie*	MN	0.22	20	13	7	3	23
Toronto	CE	0.24	26	22	4	3	29
Windsor	WE	0.25	16	10	6	3	19
Simcoe	CE	0.50	19	17	2	2	22
Espanola*	MN	0.57	13	8	5	2	16
Essex	WE	0.59	17	10	7	2	20
Chapleau	MN	1.05	6	3	3	2	9
Niagara South	CE	1.06	19	13	6	2	22
Geraldton	NW	1.14	8	5	3	2	11
Michipicoten	MN	1.24	9	5	4	2	12
Carleton	EA	1.29	19	15	4	2	22
North Shore	MN	1.32	13	8	5	2	16
Kirkland Lake	NE	1.55	12	8	4	1	15
Timiskaming	NE	1.64	12	9	3	1	15
Ottawa	EA	1.85	15	10	5	1	18
Nipissing	NE	2.42	14	8	6	1	17
Stormont Dundas Glengarry	EA	2.59	15	9	6	0	18
Sudbury	MN	2.64	17	8	9	0	20
Cochrane Iroquois Falls	NE	2.99	11	6	5	0	14
Timmins	NE	3.11	11	6	5	0	14
Kapuskasing	NE	7.18	8	3	5	0	15
TOTAL			1,131	896	235	103	1,270

Boards on which English-language trustees constitute the minority have been omitted from the list. The total number of trustees is the sum of the French trustees, the English trustees, and any additional trustees.

*Boards marked with an asterisk would not require a French-language section of the board if French enrolment is not in an FLIU operated by the board. Note: Fractional numbers of trustees reflect calculations before rounding or application of minimal guarantees.

Table 2.4: Effects of Bill 75 on Patterns of Representation:
Boards of Education - English Minority

BOARD NAME	REG	NUMBER ENGLISH TRUSTEES	FRENCH	NUMBER PUB TRUSTEES	SEP	ADD'L TRUSTEES (IN TOT)	TOTAL
Hearst	NE	5	7	2	5	0	12
Prescott & Russell	EA	8	10	3	7	0	18
TOTAL			17	5	12	0	30

Boards on which French- language trustees constitute the minority have been omitted from the list. The total number of trustees is the sum of the English trustees, the French trustees, and any additional trustees.

Of the 74 boards of education on which English trustees would be the majority, 29 would have no French-language section of the board. Of the 45 boards for which a French-language section might be required, 27 would have French-language sections requiring the addition of three trustees (that is, the level of French enrolment is not high enough on its own to generate entitlement to representation); nine would require the addition of two trustees; four would require the addition of one trustee; and in five cases proportional enrolment would generate full entitlement under the formula specified in Bill 75.

There are only two boards of education on which English trustees would constitute a minority. Both would have English-language sections of the board and in neither case would additional trustees be required to meet the minimum of three.

There are 24 boards of education (marked in the tables with asterisks) for which no French-language section would be required if the reported levels of French enrolment reflect instruction purchased by the board rather than enrolment in French-language instructional units operated by the board. That is, the level of French-language enrolment in these boards is less than 300 pupils and also less than 10 per cent of total enrolment. Both boards of education on which English trustees constitute the minority have levels of English-language enrolment high enough to require an English-language section of the board even if an English-Language Instructional Unit were not in operation.

Effects of Bill 75 on Patterns of Representation - RCSS Boards - Summary of Tables 2.5, 2.6

		English Majority		French Majority	
No Minority-Language Section		4	10.3%	1	9.1%
Minority-Language Section	+3	14	35.9%	1	9.1%
	+2	12	30.8%	2	18.2%
	+1	3	7.7%	2	18.2%
	+0	6	15.4%	5	45.5%
TOTAL		39	100%	11	100%
		78%		22%	

For the 39 RCSS boards on which English trustees would be the majority, there are only four which would not have a French-language section of the board. Of the 35 boards for which a French-language section of the board would be required, 14 boards would have to add three additional trustees to the board; 12 would have to add two additional trustees; three would have to add one additional trustee; and there would be six boards for which proportional enrolment would generate full entitlement through the formula.

There are 11 RCSS boards on which English trustees would constitute the minority. In all but one case (Hearst), there would be an English-language section of the board. For the 10

Table 2.5: Effects of Bill 75 on Patterns of Representation: RCSS Boards - French Minority

BOARD NAME	REG	NUMBER FRENCH TRUSTEES	NUMBER ENGLISH TRUSTEES	ADD'L TRUSTEES (IN TOT)	TOTAL
Red Lake	NW	0.00	5	0	5
Fort Frances Rainy River	NW	0.00	8	0	8
Kenora	NW	0.00	8	0	8
Dryden	NW	0.00	8	0	8
Elgin	WE	0.01	12	3	15
Huron-Perth*	WE	0.01	14	3	17
Hastings-Prince Edward*	CE	0.01	14	3	17
Lanark Leeds & Grenville*	EA	0.01	14	3	17
Peterborough Victoria NorthNewc*	CE	0.03	16	3	19
Haldimand-Norfolk*	CE	0.17	12	3	15
Lakehead*	NW	0.24	14	3	17
York Region*	CE	0.26	16	3	19
London & Middlesex*	WE	0.35	16	3	19
Waterloo	CE	0.36	16	3	19
Dufferin-Peel	CE	0.37	16	3	19
Metropolitan Toronto	CE	0.37	24	3	27
Bruce-Grey*	WE	0.43	14	3	17
Brant*	CE	0.44	12	3	15
Oxford*	WE	0.50	11	2	14
Hamilton-Wentworth	CE	0.53	15	2	18
Wellington*	CE	0.59	13	2	16
Welland	CE	0.63	13	2	16
Frontenac-Lennox & Addington*	EA	0.67	13	2	16
Lincoln	CE	0.75	13	2	16
Durham	CE	0.75	15	2	18
Windsor	WE	0.75	9	2	12
Lambton	WE	0.89	13	2	16
Renfrew	EA	0.96	11	2	14
Halton	CE	1.12	15	2	18
Kent	WE	1.42	13	2	16
Sault Ste Marie	MN	1.58	11	1	14
Simcoe	CE	1.58	14	1	17
North of Superior	NW	1.70	9	1	12
Essex	WE	2.76	11	0	14
Michipicoten	MN	3.06	5	0	8
Geraldton	NW	3.87	4	0	8
Carleton	EA	4.63	11	0	16
North Shore	MN	4.70	5	0	10
Ottawa	EA	6.07	10	0	16
TOTAL			473	69	586

Boards on which English-language trustees constitute the minority have been omitted from the list. The total number of trustees is the sum of the French trustees, the English trustees, and any additional trustees.

*Boards marked with an asterisk would not require a French-language section of the board if French enrolment is not in an FLIU operated by the board.

Table 2.6: Effects of Bill 75 on Patterns of Representation:
RCSS Boards - English Minority

BOARD NAME	REG	NUMBER ENGLISH TRUSTEES	NUMBER FRENCH	ADD'L TRUSTEES (IN TOT)	TOTAL
Hearst	NE	0.00	8	0	8
Prescott & Russell*	EA	0.39	12	3	15
Kapuskasing	NE	1.04	7	2	10
Chapleau	MN	1.11	7	2	10
Timiskaming	NE	1.94	6	1	9
Cochrane Iroquois Falls	NE	1.98	6	1	9
Timmins	NE	2.67	7	0	10
Kirkland Lake	NE	3.67	4	0	8
Nipissing	NE	4.96	7	0	12
Stormont Dundas Glengarry	EA	6.23	8	0	14
Sudbury	MN	6.33	8	0	14
TOTAL			80	9	119

Boards on which French-language trustees constitute the minority have been omitted from the list. The total number of trustees is the sum of the English trustees, the French trustees, and any additional trustees.

*Boards marked with an asterisk would not require an English-language section of the board if English enrolment is not in an ELIU operated by the board.

boards for which an English-language section would be required, one would require the addition of three additional trustees; two would require the addition of two additional trustees; two would require the addition of one additional trustee. In five cases, a sufficient level of representation is achieved by the application of the proportional-enrolment formula set out in the proposed Bill.

Of the 39 RCSS boards on which English trustees would constitute the majority, 13 (marked with asterisks in the tables) would not require French-language sections of the board if enrolment is not in a French-Language Instructional Unit. Of the 11 RCSS boards on which French trustees would constitute the majority, one (Prescott & Russell) would not require an English-language section of the board if English-language enrolment were not in an English-Language Instructional Unit.

Calculation of the number of minority-language trustees to be elected would be the first step in the determination process. The number of trustees determined on the basis of proportional calculated enrolment would then be subtracted from the current total number of trustees (specified in the appropriate legislative schedule). This remainder would then be apportioned between public and separate school supporters. The result of this method would be to reduce the number of trustees to be elected by public and separate school supporters in the same proportion as each group now has of the current total number of trustees. The patterns of French enrolment (table 2.1) suggest, however, that the majority of French-language pupils enrolled in schools operated by boards of education may be the children of separate school supporters. The French-language electorate would, therefore, include a much higher proportion of separate school supporters than the general population of the board jurisdiction. The reduction in the number of trustees to be elected by English public school electors would be greater than the number of minority-language trustees to be elected by French public school electors. The reduction in the number of trustees to be elected by English separate school electors would be less than the number of minority-language trustees to be elected by French separate school electors.

The method of apportioning representation to voters with Charter 23 Rights, as proposed by Bill 75, would, therefore, reduce the representation of public school supporters on boards of education disproportionately relative to their share of French-language enrolment, and have a disproportionately low effect on the representation of separate school supporters. An unintended effect of the Bill, therefore, would be to increase the representation of separate school supporters on boards of education.

Bill 30 and Bill 75 In Combination - No Change in Enrolment Patterns

Assuming no change in patterns of enrolment, the combination of these two bills would affect only the boards of education. For separate school boards, the number of regular trustees to be elected, the number of minority-language trustees, and the number of additional trustees required (if any) would remain the same as reported in the previous section.

For the boards of education, however, the effective size of each board would be smaller (the effect of Bill 30 in removing separate school trustees from the board and reducing the overall number of trustees to be elected). The proportion of representation to which minority-language electors would be entitled based on proportional enrolment would remain the same in these circumstances (the levels of minority-language enrolment and total enrolment are assumed to remain unchanged), but the total number of trustees to which this proportion would be applied would be smaller and, in consequence, fewer minority-language trustees would be elected on the basis of the formula. A greater number of boards would, therefore, require additional trustees and higher levels of additional trustees.

Effects of Bill 30 & Bill 75 In Combination - Boards of Education - Assuming No Changes in Enrolment Patterns - Summary of Tables 2.7, 2.8

		English Majority		French Majority	
No Minority Section		29	40.5%	-	--
Minority-Language Section	+3	30	14.9%	-	--
	+2	11	14.9%	-	--
	+1	3	4.1%	1	50%
	+0	1	1.4%	1	50%
TOTAL		74	100%	2	100%
		97.4%		2.6%	

Of the 74 boards of education on which English trustees would constitute the majority, 29 would continue to have no French-language section. The number to which the full three additional trustees would have to be added to meet the specified minimum would rise to 30 (from 27); 11 boards (instead of nine) would require two additional trustees; three (rather than four) would add one trustee; and only one board (instead of five) would achieve at least the minimum number of trustees through the proportional enrolment formula.

There would, again, be two boards on which French trustees would constitute the majority (based on proportional enrolment). For one, no additional English-language trustees

Table 2.7: Effects of Bill 30 & Bill 75 in Combination on Patterns of Representation Assuming No Change in Enrolment: Boards of Education - French Minority

BOARD NAME	REG	NUMBER FRENCH TRUSTEES	NUMBER ENGLISH TRUSTEES	ADD'L TRUSTEES (IN TOT)	TOTAL
Haliburton	CE	0.00	15	0	15
Red Lake	NW	0.00	9	0	9
Lanark	EA	0.00	12	0	12
Grey	WE	0.00	15	0	15
Muskoka	NE	0.00	14	0	14
Bruce	WE	0.00	14	0	14
Oxford	WE	0.00	14	0	14
Central Algoma	MN	0.00	14	0	14
Dryden	NW	0.00	13	0	13
York	CE	0.00	8	0	8
Manitoulin	MN	0.00	14	0	14
Lennox & Addington	EA	0.00	13	0	13
East York	CE	0.00	8	0	8
Prince Edward	CE	0.00	13	0	13
Atikokan	NW	0.00	7	0	7
Peterborough	CE	0.00	16	0	16
Etobicoke	CE	0.00	10	0	10
Fort Frances Rainy River	NW	0.00	12	0	12
Scarborough	CE	0.00	14	0	14
West Parry Sound	NE	0.00	13	0	13
Hornepayne	MN	0.00	4	0	4
Nipigon-Red Rock	NW	0.00	8	0	8
Huron	WE	0.00	14	0	14
Victoria	CE	0.00	13	0	13
Perth	WE	0.00	14	0	14
Dufferin	CE	0.00	13	0	13
Lakehead	NW	0.00	13	0	13
Elgin	WE	0.00	14	0	14
Kenora	NW	0.00	12	0	12
Hastings*	CE	.00	15	3	18
Haldimand*	CE	.00	13	3	16
Norfolk*	CE	.00	12	3	15
Leeds & Grenville*	EA	.00	14	3	17
Northumberland Newcastle*	CE	.00	15	3	18
Middlesex*	WE	0.01	14	3	17
Wellington*	CE	0.01	15	3	18
Waterloo*	CE	0.01	16	3	19
York Region*	CE	0.01	16	3	19
Wentworth*	CE	0.02	15	3	18
Brant*	CE	0.02	14	3	17
Peel*	CE	0.02	16	3	19
Lincoln*	CE	0.04	17	3	20
Halton*	CE	0.04	16	3	19
Durham*	CE	0.04	17	3	20
Lambton*	WE	0.05	14	3	17
Hamilton*	CE	0.06	16	3	19
Kent*	WE	0.07	13	3	16
Frontenac*	EA	0.08	15	3	18
North York	CE	0.11	14	3	17
Renfrew*	EA	0.13	11	3	14
Lake Superior*	NW	0.14	10	3	13
Sault Ste Marie*	MN	0.14	13	3	16
Windsor	WE	0.16	10	3	13

Table 2.7: Effects of Bill 30 & Bill 75 in Combination on Patterns of Representation Assuming No Change in Enrolment: Boards of Education - French Minority

BOARD NAME	REG	NUMBER FRENCH TRUSTEES	NUMBER ENGLISH TRUSTEES	ADD'L TRUSTEES (IN TOT)	TOTAL
East Parry Sound*	NE	0.17	15	3	18
London	WE	0.18	14	3	17
Toronto	CE	0.20	22	3	25
Essex	WE	0.36	11	3	14
Espanola*	MN	0.36	9	3	12
Simcoe	CE	0.45	18	3	21
Chapleau	MN	0.60	3	2	6
Michipicoten	MN	0.74	5	2	8
Niagara South	CE	0.74	13	2	16
Geraldton	NW	0.76	5	2	8
North Shore	MN	0.85	8	2	11
Kirkland Lake	NE	1.00	8	2	11
Carleton	EA	1.03	15	2	18
Timiskaming	NE	1.17	9	2	12
Sudbury	MN	1.19	8	2	11
Ottawa	EA	1.20	10	2	13
Nipissing	NE	1.36	8	2	11
Timmins	NE	1.56	5	1	8
Stormont Dundas Glengarry	EA	1.58	9	1	12
Cochrane Iroquois Falls	NE	1.71	6	1	9
Kapuskasing	NE	2.87	3	0	6
TOTAL			898	115	1033

Boards on which English-language trustees constitute the minority have been omitted from the list. The total number of trustees is the sum of the French trustees, the English trustees, and any additional trustees.

*Boards marked with an asterisk would not require a French-language section of the board if French enrolment is not in an FLIU operated by the board.

Table 2.8: Effects of Bill 30 & Bill 75 in Combination on Patterns of Representation Assuming No Change in Enrolment: Boards of Education - English Minority

BOARD NAME	REG	NUMBER ENGLISH TRUSTEES	NUMBER FRENCH TRUSTEES	ADD'L TRUSTEES (IN TOT)	TOTAL
Hearst	NE	1.69	2	1	5
Prescott & Russell	EA	2.77	3	0	6
TOTAL			5	1	11

Boards on which French trustees constitute the minority have been omitted from the list. The total number of trustees is the sum of the English trustees, the French trustees, and any additional trustees.

would be added; for the other, one extra trustee would be required. This single trustee (required to meet the specified minimum of three) would create an obvious anomaly. The board (Hearst) would drop to a total of four trustees as a result of Bill 30. The balance between French and English enrolment is close, but French is the majority. Each merits just over or just under two trustees on the basis of the formula, but English, as the minority group, is guaranteed three trustees. The final result is that there would be three English trustees and two French trustees, even though there is a majority of French enrolment.

This is an extreme case but serves to reveal a fundamental problem arising out of the interaction of the two bills. Bill 30 would reduce the number of trustees to be elected while Bill 75 would specify the proportion of trustees to be elected to the minority-language section. The proportion would remain the same, but the number to which the proportion is applied would be reduced. Representation of majority-language public school supporters would bear the full impact of minority-language representation. This would be so because, if the current patterns of enrolment remain unchanged and there are no separate school trustees elected to the board as a result of the implementation of Bill 30, all minority-language-trustee positions included in the board of education totals would be subtracted from the number of trustees to be elected by public school electors.

The problem identified above is most apparent in boards of education for which there is a high level of French enrolment, but occurs in any board of education with French-language enrolment. The difficulty arises, we surmise, because most of the French enrolment comes from the separate-school-supporting population. Because the formula for determining minority-language representation does not take account of this factor, there is a disproportionately great impact on the representation of English public school supporters and an ironic effect on at least one board on which French trustees ought, on the basis of proportional enrolment, to be in the majority.

In the following section, we report results of an attempt to illustrate the issue another way.

Bill 30 & Bill 75 In Combination - Assuming French Enrolment Shifts to the RCSS System

The pattern of French-language enrolment (table 2.1) indicates a significantly higher level of French secondary enrolment as compared to French elementary enrolment in the public system. This difference seemed to reflect the absence of a secondary education program in the separate system, including French-language instruction at that level. We predicted that, with extension and assuming that extension would include the provision of French-language instruction at the secondary level, French Catholic students would move to the RCSS system.

We therefore adjusted the level of French secondary enrolment to a level consistent with the proportion of French enrolment at the elementary level, recalculated total enrolment, and carried out the determination of representation once again.

Effects of Bill 30 & Bill 75 In Combination -
Boards of Education - Assuming French-Enrolment Shifts -
Summary of Table 2.9

		English Majority		French Majority	
No Minority Section		52	70.3%	-	--
Minority Language Section	+3	23	31.1%	-	--
	+2	1	1.4%	-	--
	+1	-	--	-	--
	+0	-	--	-	--
TOTAL		76	100%	-	--
		100.%		--	

Under these conditions, there were no boards of education on which French trustees constituted the majority. All 76 had a majority of English trustees. Fifty-two would have no French-language section. Of the 24 boards on which there would be French-language sections, 23 would require the addition of three extra trustees to meet the specified minimum. One would need two extra trustees. No boards would require fewer than

Table 2.9: Effects of Bill 30 & Bill 75 in Combination on Patterns of Representation Assuming French-Enrolment Shift: Boards of Education - French Minority

BOARD NAME	REG	NUMBER FRENCH TRUSTEES	NUMBER ENGLISH TRUSTEES	ADD'L TRUSTEES (IN TOT)	TOTAL
Lincoln*	CE	0.00	17	0	17
Atikokan	NW	0.00	7	0	7
Scarborough	CE	0.00	14	0	14
Kenora	NW	0.00	12	0	12
York Region*	CE	0.00	16	0	16
Kent*	WE	0.00	13	0	13
Waterloo*	CE	0.00	16	0	16
Kirkland Lake	NE	0.00	9	0	9
Dryden	NW	0.00	13	0	13
Lake Superior*	NW	0.00	10	0	10
Durham*	CE	0.00	17	0	17
Lakehead	NW	0.00	13	0	13
East York	CE	0.00	8	0	8
Lambton*	WE	0.00	14	0	14
Espanola*	MN	0.00	9	0	9
Lanark	EA	0.00	12	0	12
Etobicoke	CE	0.00	10	0	10
Wellington*	CE	0.00	15	0	15
Sudbury	MN	0.00	9	0	9
Lennox & Addington	EA	0.00	13	0	13
Grey	WE	0.00	15	0	15
Haldimand*	CE	0.00	13	0	13
Haliburton	CE	0.00	15	0	15
Halton*	CE	0.00	16	0	16
Bruce	WE	0.00	14	0	14
West Parry Sound	NE	0.00	13	0	13
Oxford	WE	0.00	14	0	14
Manitoulin	MN	0.00	14	0	14
Huron	WE	0.00	14	0	14
Michipicoten	MN	0.00	6	0	6
Central Algoma	MN	0.00	14	0	14
Sault Ste Marie*	MN	0.00	13	0	13
Dufferin	CE	0.00	13	0	13
Muskoka	NE	0.00	14	0	14
Elgin	WE	0.00	14	0	14
York	CE	0.00	8	0	8
Fort Frances Rainy River	NW	0.00	12	0	12
Nipigon-Red Rock	NW	0.00	8	0	8
Peel*	CE	0.00	16	0	16
Red Lake	NW	0.00	9	0	9
Hornepayne	MN	0.00	4	0	4
Norfolk*	CE	0.00	12	0	12
Victoria	CE	0.00	13	0	13
North Shore	MN	0.00	9	0	9
Wentworth*	CE	0.00	15	0	15
Prince Edward	CE	0.00	13	0	13
Hamilton*	CE	0.00	16	0	16
Northumberland Newcastle*	CE	0.00	15	0	15
East Parry Sound*	NE	0.00	15	0	15
Perth	WE	0.00	14	0	14
Geraldton	NW	0.00	6	0	6

Table 2.9: Effects of Bill 30 & Bill 75 in Combination on Patterns of Representation Assuming French-Enrolment Shift: Boards of Education - French Minority

BOARD NAME	REG	NUMBER FRENCH TRUSTEES	NUMBER ENGLISH TRUSTEES	ADD'L TRUSTEES (IN TOT)	TOTAL
Peterborough	CE	0.00	16	0	16
Hastings*	CE	.00	15	3	18
Brant*	CE	.00	14	3	17
Leeds & Grenville*	EA	.00	14	3	17
Renfrew*	EA	0.01	11	3	14
Middlesex*	WE	0.01	14	3	17
Nipissing	NE	0.01	9	3	12
Chapleau	MN	0.02	4	3	7
Timiskaming	NE	0.02	10	3	13
Kapuskasing	NE	0.03	6	3	9
Timmins	NE	0.04	7	3	10
Stormont Dundas Glengarry	EA	0.05	11	3	14
Hearst	NE	0.05	4	3	7
Cochrane Iroquois Falls	NE	0.05	8	3	11
North York	CE	0.07	14	3	17
Frontenac*	EA	0.08	15	3	18
Windsor	WE	0.08	10	3	13
Essex	WE	0.10	11	3	14
Prescott & Russell	EA	0.15	6	3	9
London	WE	0.18	14	3	17
Toronto	CE	0.20	22	3	25
Carleton	EA	0.25	16	3	19
Ottawa	EA	0.42	11	3	14
Simcoe	CE	0.45	18	3	21
Niagara South	CE	0.74	13	2	16
TOTAL			927	71	999

Under these conditions, there are no boards on which English trustees constitute the minority. The total number of trustees is the sum of the French trustees, the English trustees, and any additional trustees.

*Boards marked with an asterisk would not require a French-language section of the board if French enrolment is not in an FLIU operated by the board.

two additional trustees - there would be no boards for which French-language enrolment was high enough to generate entitlement to at least the minimum number of trustee positions.

For the 17 RCSS boards having jurisdictions identical to their coterminous public boards, it was possible to simulate the corresponding effect of increased French-language enrolment. The other RCSS boards do not coincide exactly with the coterminous boards of education. That is, the municipalities which comprise the RCSS and board of education jurisdictions were not identical. It was not possible, therefore, to know to which RCSS board the French enrolment would shift. The 17-board sample is, however, a fairly representative one. It represents 34 per cent of the total number of RCSS boards (50) and 38 per cent of the 45 RCSS boards for which minority-language sections of the board might be required. We added to the French-language enrolment of these boards the enrolment we predicted would shift from the board of education.

Of these 17, nine would have a majority of English trustees and eight would have a majority of French trustees. The results of these simulations are reported in tables 2.9 (Majority English) and 2.10 (Majority French).

All of these boards would have minority-language sections of the board. The additional French-language enrolment did not affect the number of additional French-language trustees to be elected to any of the boards on which English-language trustees were in the majority, although one board, Geraldton, would become a French-majority board as a result of the enrolment shift.

Two French-majority boards would require one more additional English-language trustee and would have one less English-language trustee included in the board total than they would if no extra enrolment had "moved" to these boards (Cochrane-Iroquois Falls and Timmins).

Table 2.10: Effects of Bill 30 & Bill 75 in Combination on Patterns of Representation Assuming French-Enrolment Shift: RCSS Boards - French Minority

BOARD NAME	REG	NUMBER FRENCH TRUSTEES	NUMBER ENGLISH TRUSTEES	ADD'L TRUSTEES (IN TOT)	TOTAL
Elgin	WE	0.01	12	3	15
Lakehead*	NW	0.24	14	3	17
York Region*	CE	0.29	16	3	19
Lincoln	CE	0.87	13	2	16
Durham	CE	0.91	15	2	18
Halton	CE	1.28	15	2	18
Sault Ste Marie	MN	1.83	11	1	14
Michipicoten	MN	3.87	4	0	8
Ottawa	EA	7.56	8	0	16
TOTAL			108	16	141

Boards on which English trustees constitute the minority have been omitted from the list. The total number of trustees is the sum of the French trustees, the English trustees, and any additional trustees.

*Boards marked with an asterisk would not require a French-language section of the board if French enrolment is not in an FLIU operated by the board.

Table 2.11: Effects of Bill 30 & Bill 75 in Combination on Patterns of Representation Assuming French-Enrolment Shift: RCSS Boards - English Minority

BOARD NAME	REG	NUMBER ENGLISH TRUSTEES	NUMBER FRENCH TRUSTEES	ADD'L TRUSTEES (IN TOT)	TOTAL
Hearst	NE	0.00	8	0	8
Prescott & Russell	EA	0.28	12	3	15
Kapuskasing	NE	0.72	7	2	10
Chapleau	MN	0.92	7	2	10
Cochrane Iroquois Falls	NE	1.49	7	2	10
Timmins	NE	2.09	8	1	11
Geraldton*	NW	3.48	5	0	8
Stormont Dundas Glengarry	EA	5.13	9	0	14
TOTAL			63	10	86

Boards on which French trustees constitute the minority have been omitted from the list. The total number of trustees is the sum of the English trustees, the French trustees, and any additional trustees.

*Boards marked with an asterisk would not require an English-language section of the board if English enrolment is not in an ELIU operated by the board.

CONCLUSIONS

The last set of simulations may best reflect the probable effects of Bill 30 and Bill 75 in combination for those boards in the jurisdiction of an RCSS board that chooses to offer secondary education and to provide French-language instruction at that level. The simulations in the previous section depict the combined effects of the two bills for jurisdictions in which the RCSS board chooses to offer secondary education but not to provide French-language instruction at that level. The results, if the RCSS board chose not to offer secondary education, are illustrated by the simulation of Bill 75 alone. The simulation of Bill 30 alone projects the pattern of representation for those boards for which minority-language sections will not be required but which are affected by the decision of an RCSS board to offer secondary education.

Bill 30 will result in smaller boards of education in jurisdictions where the coterminous RCSS board has opted to offer secondary education. It may be that relatively smaller boards are adequate and appropriate for the representation of a part of the population, but the size of the board, as the legislation presently stands, will not reflect the size of the (public) population being represented but rather the combined effects of the schedule (based on total population) and the decisions made by the separate school board.

The decrease in board size may also present problems in terms of the operation of Bill 75 with respect to the relationship of additional trustees to overall board size. As we have seen, for one board the majority of enrolment was French but the majority of trustees was English, because of the combined circumstances of an extremely small board and the requirement to have a minimum of three minority-language trustees.

The representation of public school supporters on boards of education may be disproportionately reduced by Bill 75 unless the French-language enrolment (which we hypothesize is predominantly made up of children of separate school supporters) transfers to the separate system. This transfer would likely occur only if the RCSS board not only extended secondary education but also provided French-language instruction at that level.

For those boards of education unaffected by the implementation of Bill 30 (that is, the coterminous RCSS board does not elect to perform the duties of a secondary school board), representation would be reduced according to the proportion of trustees each of the public and separate electorates now has - generally there are more public school than separate school trustees on boards of education. If, as we suggest, French enrolment is predominantly the children of separate school supporters, this means disproportionately greater reduction in representation for public school supporters and an unintended increase in representation for separate school supporters. The problem arises because the formula for determining minority-language representation does not take account of the tax-support group to which the parents of pupils belong.

The problems outlined above will be "solved" to the extent that RCSS boards in areas of high French-language enrolment opt to extend secondary education and to offer French-language instruction at that level.

The simulations reported in this chapter have helped to identify some problems with respect to trustee representation that might result from the implementation of Bill 30 and Bill 75. In the following chapters, we will attempt to develop possible alternative methods of determining and apportioning trustee representation.

CHAPTER 3

A BASIS FOR AN ALTERNATIVE METHOD OF DETERMINING THE NUMBER OF TRUSTEES TO BE ELECTED TO A SCHOOL BOARD

BACKGROUND TO THE ISSUE

At the present time, the overall number of trustees to be elected to a school board (whether a board of education or a separate school board) is based on the total population of the school board jurisdiction, including both public and separate school supporters and their dependants. The actual relationship between number of trustees and population levels is determined by reference to one of a number of schedules set out in legislation. In some cases (for example, Ottawa and Rockliffe Park) there is specific legislation for an individual board. The total number of trustees on a board of education is subsequently apportioned among public school electors and separate school electors (the latter in respect to secondary education). For those boards whose jurisdictions encompass more than one municipality there is a further apportionment among city(ies) and county municipalities, and among municipalities within the county or district.

A summary table (table 3.1) illustrates the schedules which apply to most school boards in the province. (For a more complete discussion of the current methods of determining trustee representation, see Appendix 1.2.) Even a quick assessment of these schedules reveals a lack of consistency and

Table 3.1: Summary of Schedules Used to Determine the Overall Number of Trustees on School Boards in Ontario

BOARDS OF EDUCATION		SEPARATE SCHOOL BOARDS	
Urban		Urban	
less than 10 000	6	less than 10 000	6
10 000 - 49 999	8	10 000 - 49 999	8
50 000 - 99 999	10	50 000 - 99 999	10
100 000 or more	12	100 000 or more	12
(section 57(1))		(section 90(2))	
Combined		Combined	
Smaller Boards			
less than 3 500	5		
3 500 - 4 999	8	less than 25 000	8
5 000 - 10 000	10	25 000 - 44 999	10
		45 000 - 99 999	12
		100 000 or more	16
Larger Boards			
less than 50 000	14		
50 000 - 99 999	16		
100 000 - 149 999	18		
150 000 or more	20		
(section 59(2))		(section 113(2))	

rationale with respect to the relationship between trustee numbers and population.

One would expect that boards of education would be larger (that is, have more trustees) than separate school boards at any given population level, because trustees on boards of education represent the total population (at least with respect to secondary education) and trustee positions on the board of education must be apportioned among public school trustees and separate school trustees, whereas there is no equivalent division of positions for the separate school board. This is not always the case, however, nor do the two types of boards always have the same number of trustees at a given population level.

As table 3.1 indicates, the number of trustees to be elected to the school board of a single urban municipality ("defined city boards" in the case of boards of education and "urban separate school boards" in the case of Roman Catholic separate school boards) is identical at any population level, even though the RCSS board represents only a portion of the population, whereas the board of education represents the total population.

In the case of county and combined boards (encompassing both city(ies) and county municipalities), however, there are quite different relationships between the population level and the number of trustees who must be elected. For the boards of education, there are two schedules - one for smaller boards and another for larger boards. For the separate school boards, there is a single schedule. Separate school boards have a minimum size of eight trustees (when population is less than 25 000), whereas boards of education with populations under 10 000 range from a minimum size of five trustees (less than 3500 population) to 10 trustees (population between 5000 and 10 000). There are differences within the ranges as well. For example, a board of education with a population between 50 000 and 100 000 would have 16 trustees, while a separate board with a population between 45 000 and 100 000 would have 14 trustees. At the top of the ranges, boards of education have a maximum of 20 trustees (population over 150 000), while a separate board would have a maximum of 16 (population over 200 000). It is important to remember that the population figures reflect the total population of the muncipalities within the jurisdiction of the board, not the population of the relevant group of supporters.

ILLUSTRATION OF THE PROBLEM

The effect these schedules have on equality of representation (expressed as the ratio of population to trustees) is illustrated in tables 3.2 (boards of education) and 3.3 (separate boards). In each table, the school boards have been grouped according to the total number of trustees elected to each in the last (1985) election. Within each group, the boards are arranged in ascending order by the ratio of total population to total number of trustees. Also shown is the variance between ratios within each board-size group (expressed as a percentage of the lowest ratio).

Boards of Education

As we can see from table 3.2 there is considerable variance in the ratio of population to trustees among the boards of education. One would expect the ratio to increase with board size because, if there were a single ratio, the number of trustees on a school board in a populous area would be unmanageable, while the number of trustees on school boards in areas with small populations would be too few to encourage debate of issues. More problematic than the ratio itself is the variance within groups of boards with the same number of trustees.

For the four boards with 10 trustees, the variance is 3049 per cent between the lowest ratio of 425 people per trustee in Red Lake to the highest ratio of 13 386 per trustee in the City of York. For the 19 boards with 14 trustees, the variance is 3320 per cent between a ratio of 624 to 1 in Central Algoma and a ratio of 21 321 to 1 in Etobicoke. For the 14 boards with 16 trustees, the variance is 1604 per cent between a low of 715 to 1 in Haliburton and a high of 12 189 to 1 in Windsor. The other variances shown on the table are less extreme but still considerable.

The variance is not associated with the number of boards in each group, although the two groups with the least variance

Table 3.2: Ratios of Population to Trustees - Boards of Education

BOARD NAME	CURRENT # TOTAL TRUSTEES	RATIO PUBLIC POP PER PUBLIC TRUSTEE	RATIO SEPARATE POP PER SEPARATE TRUSTEE	RATIO TOTAL POP PER TOTAL TRUSTEE	VARIANCE WITHIN BOARD SIZE
Hornepayne	5	322	459	349	
Chapleau	7	431	689	542	
Atikokan	8	521	1,031	585	N=2
Nipigon-Red Rock	8	448	--	603	3%
Geraldton	9	531	961	674	
Red Lake	10	412	540	425	
Michipicoten	10	538	656	585	
East York	10	10,121	8,354	9,768	N=4
York	10	11,013	22,875	13,386	3049%
Hearst	12	258	809	625	
Central Algoma	14	624	--	624	
Espanola	14	598	733	646	
Lake Superior	14	740	956	802	
West Parry Sound	14	1,179	622	1,140	
Fort Frances Rainy River	14	1,144	1,149	1,144	
Kirkland Lake	14	1,103	1,300	1,173	
Cochrane Iroquois Falls	14	1,039	1,423	1,203	
Kenora	14	1,095	1,875	1,206	
Dryden	14	1,377	2,188	1,435	
Prince Edward	14	1,597	1,472	1,588	
Timiskaming	14	1,361	2,304	1,630	
North Shore	14	1,517	2,327	1,806	
Dufferin	14	2,312	2,313	2,312	
Lennox & Addington	14	2,258	3,741	2,364	
Timmins	14	2,948	3,586	3,267	
Lanark	14	3,459	3,445	3,457	
Haldimand	14	3,315	5,561	3,475	
Victoria	14	3,623	4,429	3,681	N=19
Etobicoke	14	20,395	23,636	21,321	3320%
Manitoulin	15	497	50	467	
Kapuskasing	15	670	1,284	1,039	
East Parry Sound	15	1,226	--	1,258	N=4
Muskoka	15	2,608	1,424	2,529	441%
Haliburton	16	760	40	715	
Huron	16	3,275	3,348	3,284	
Bruce	16	3,403	5,224	3,631	
Norfolk	16	4,026	2,875	3,738	
Middlesex	16	3,714	5,140	3,892	
Perth	16	4,131	4,252	4,146	
Elgin	16	4,344	4,237	4,330	
Oxford	16	5,337	5,022	5,297	
Grey	16	5,332	5,398	5,336	
Leeds & Grenville	16	5,203	6,462	5,360	
Renfrew	16	5,202	5,954	5,437	
Nipissing	16	6,647	5,473	6,134	
Northumberland Newcastle	16	5,927	10,396	6,206	N=14
Windsor	16	11,004	14,166	12,189	1604%
Brant	17	5,885	6,272	5,954	
London	17	16,003	17,318	16,235	
Ottawa	17	18,327	20,662	19,151	N=4
Scarborough	17	26,019	32,565	27,174	356%

Table 3.2: Ratios of Population to Trustees - Boards of Education

BOARD NAME	CURRENT # TOTAL TRUSTEES	RATIO PUBLIC POP PER PUBLIC TRUSTEE	RATIO SEPARATE POP PER SEPARATE TRUSTEE	RATIO TOTAL POP PER TOTAL TRUSTEE	VARIANCE WITHIN BOARD SIZE
Prescott & Russell	18	1,788	3,819	3,142	
Peterborough	18	5,083	9,037	5,522	
Stormont Dundas Glengarry	18	4,625	7,234	5,639	
Kent	18	5,849	5,899	5,863	
Hastings	18	6,002	5,944	5,992	
Wentworth	18	5,864	8,537	6,310	
Frontenac	18	6,355	7,515	6,549	
Essex	18	6,089	7,677	6,706	
Lambton	18	6,672	7,172	6,783	
Wellington	18	7,576	8,706	7,764	N=11
North York	18	28,597	38,989	30,906	884%
Lakehead	19	6,936	5,860	6,597	
Sault Ste Marie	20	4,126	4,801	4,362	
Sudbury	20	7,260	8,546	7,967	
Niagara South	20	9,576	9,804	9,645	
Simcoe	20	10,939	17,408	11,586	
Carleton	20	11,252	18,535	12,709	
Halton	20	13,231	13,201	13,225	
Durham	20	13,471	17,448	14,068	N=8
York Region	20	15,572	18,728	16,203	271%
Lincoln	21	8,216	9,187	8,401	N=2
Waterloo	21	15,272	16,775	15,630	86%
Hamilton	22	13,631	14,932	13,986	
Peel	23	25,037	23,611	24,603	
Toronto	26	20,359	39,587	23,317	
TOTAL	1,197	7,098	8,731	7,465	

(eight trustees and 21 trustees) each include only two boards. There are three groups (10, 15, and 17 trustees) with only four boards that have variances of 3049 per cent, 441 per cent, and 356 per cent respectively.

A close inspection of the table reveals that the boards for which there are disproportionately high ratios are urban boards: East York, the City of York, Etobicoke, Windsor, London, Ottawa, Scarborough, and North York. If these boards were removed from the list, there would be a fairly consistent range of ratios within the board-size groups and a fairly gradual increase of ratios between groups with the exception of Manitoulin and Haliburton, which have disproportionately low ratios of population to trustees for the size of their boards. (The ratios for Prescott & Russell, Sault Ste Marie, and Lincoln would be "out of pattern" but not as significantly as those boards noted above.)

RCSS Boards

Table 3.3 illustrates the comparative picture for separate school boards in the province. The variances are less extreme both within and among groups than is the case for the boards of education. On the one hand, this is surprising because the number of trustees is determined on the basis of total population and one might expect to find variance in the proportion of separate school supporters among board jurisdictions. (Some boards of education actually have a majority of separate school trustees: Sudbury and Prescott &

Table 3.3: Ratios of Population to Trustees - RCSS Boards

BOARD NAME	CURRENT # SEP TRUSTEES	RATIO POP PER TRUSTEE	VARIANCE WITHIN BOARD SIZE
Red Lake	5	108	
Dryden	8	233	
Chapleau	8	259	
Fort Frances Rainy River	8	287	
Michipicoten	8	328	
Geraldton	8	360	
Kenora	8	469	
Hearst	8	809	
Kirkland Lake	8	845	
Cochrane Iroquois Falls	8	1,067	
Timiskaming	8	1,114	N=11
Kapuskasing	8	1,445	520%
North Shore	10	1,462	
Timmins	10	2,511	N=3
Windsor	10	9,267	534%
North of Superior	11	537	
Elgin	12	706	
Oxford	12	1,218	
Haldimand-Norfolk	12	1,540	
Brant	12	1,996	
Renfrew	12	2,683	
Nipissing	12	3,193	N=7
Prescott & Russell	12	3,819	441%
Sault Ste Marie	13	2,585	
Bruce-Grey	14	1,199	
Huron-Perth	14	1,390	
Lanark Leeds & Grenville	14	1,415	
Hastings-Prince Edward	14	1,493	
Frontenac-Lennox & Addington	14	1,878	
Wellington	14	1,902	
Lambton	14	2,048	
Kent	14	2,337	
Lakehead	14	2,512	
Lincoln	14	2,625	
Stormont Dundas Glengarry	14	3,617	
Essex	14	3,848	
Welland	14	4,275	N=14
Sudbury	14	6,742	462%
Peterborough Victoria NorthNewc	16	2,056	
Simcoe	16	2,229	
Durham	16	3,283	
Halton	16	3,300	
London & Middlesex	16	3,897	
Carleton	16	4,434	
York Region	16	4,682	
Waterloo	16	5,379	
Hamilton-Wentworth	16	7,299	
Ottawa	16	7,748	N=11
Dufferin-Peel	16	10,474	409%
Metropolitan Toronto	24	23,708	
TOTAL	627	3,423	

Russell, for example; while on other boards there are relatively few or no separate school trustees: Simcoe, for example.) The relatively higher level of consistency may, however, reflect the fact that there are fewer schedules and formulas for determining the overall size of separate school boards and a more limited potential range of board sizes. There are also relatively fewer single-city boards (London is combined with Middlesex, for example) and the individual cities within Metropolitan Toronto do not have their own boards. The Windsor Separate School Board, like its public counterpart, has a disproportionately high ratio of population to trustees for its board size (10 trustees), while a number of boards (North of Superior and Elgin) have a disproportionately low ratio.

The relatively lower variance for separate school boards also reflects the generally lower ratio of population to trustees for all of these boards. The average ratio is 3423 to 1 compared to 7465 to 1 for boards of education - more than twice as high. This difference is a product of using total population to determine the number of trustees for the two types of boards, one which represents the total population and one which represents a portion of that total. Apportionment of trustee positions among public and separate trustees on boards of education does not give public school supporters an equivalent ratio of public-school-supporter population to public school trustees, although that ratio is lower than the ratio of the separate-school-supporter population to separate school trustees on boards of education. On average, the ratio of public school population to public school trustees on boards of education is 7098 to 1; the ratio for separate school population to separate school trustees on boards of education is 8731 to 1. The difference in these ratios is attributable mainly to differences in the value of equalized assessed residential and farm property and confirms the findings of Volume 2 that assessment does not reflect population distribution.

Bill 30 - A Complicating Factor

The enactment of Bill 30 (which provides for the extension of funding to separate school systems and the concomitant elimination of separate school representation on boards of education) will not, in its present form, result in more equal ratios of population to trustees (a measure of the equality of representation). At 7098 to 1 on average for boards of education, the ratio will remain just over twice as high as the ratio for separate boards, even if every separate board in the province elected to offer secondary education.

Bill 30, as it is now proposed, will leave the total size of boards of education unchanged from current legislative schedules. For those boards "having the same or part of the same" jurisdiction as a separate school board that has elected to offer secondary education, the apportionment of separate school trustee positions will continue to be made and the remaining positions will be elected by public school supporters. This calculation will be made although no separate school trustees will be elected to the board in question, and the number of trustees to be elected by public school supporters will be an uncertain quantity until the calculation has been made. Apart from requiring a redundant calculation, this arrangement will not enhance stability nor will it encourage identification with patterns of representation on the part of electors. While separate school supporters will have a clear perception of the number of trustees they may elect and of the linkage between the number and some measure of population, public school electors will perceive that the trustees they are to elect are residual and dependent upon the proportion of separate school supporters who happen to be resident in the board's jurisdiction (and, at the present time, the proportional value of their property).

It might seem to be an appealing, and simple, solution to amend the procedure for determining representation by eliminating the apportionment among public and separate trustees on boards of education and simply allowing the public school electors to elect the current total number of trustees. If all the separate boards elected to offer secondary education, and the total number of trustees to be elected to the boards of education remained the same as in the current legislative schedules (with all the trustees being public school trustees in this case), the ratio would drop to 5503 to 1 (only 1.6 times as high as the ratio for separate school boards).

This would not be a real solution, however, for a number of reasons. First, there is no requirement for separate school

Table 3.4: Ratio of Population to Trustees - Boards of Education Comparison of the Effects of Bill 30 As Is With the Effects of Assigning the Present Total Number of Trustees to Public School Electors

BOARD NAME	CURRENT RATIO TOTAL POP PER TOTAL TRUSTEE	RATIO POP TO TRUSTEE BILL 30 AS IS	RATIO POP TO TRUSTEE BILL 30 ALT'TIVE	INCR IN TRUSTEE REP BILL 30 AS IS	INCR IN TRUSTEE REP BILL 30 ALT'TIVE
Hornepayne	349	322	257	9%	36%
Chapleau	542	431	246	26%	120%
Atikokan	585	521	456	12%	28%
Nipigon-Red Rock	603	448	448	35%	35%
Geraldton	674	531	354	27%	90%
Red Lake	425	412	371	3%	15%
Michipicoten	585	538	323	9%	81%
East York	9,768	10,121	8,097	-3%	21%
York	13,386	11,013	8,811	22%	52%
Hearst	625	258	86	142%	626%
Central Algoma	624	624	624	0%	0%
Espanola	646	598	384	8%	68%
Lake Superior	802	740	529	8%	52%
West Parry Sound	1,140	1,179	1,095	-3%	4%
Fort Frances Rainy R	1,144	1,144	980	0%	17%
Kirkland Lake	1,173	1,103	709	6%	65%
Cochrane Iroquois Fa	1,203	1,039	594	16%	103%
Kenora	1,206	1,095	938	10%	29%
Dryden	1,435	1,377	1,279	4%	12%
Prince Edward	1,588	1,597	1,483	-1%	7%
Timiskaming	1,630	1,361	972	20%	68%
North Shore	1,806	1,517	975	19%	85%
Dufferin	2,312	2,312	2,147	0%	8%
Lennox & Addington	2,364	2,258	2,097	5%	13%
Timmins	3,267	2,948	1,474	11%	122%
Lanark	3,457	3,459	2,965	0%	17%
Haldimand	3,475	3,315	3,078	5%	13%
Victoria	3,681	3,623	3,364	2%	9%
Etobicoke	21,321	20,395	14,568	5%	46%
Manitoulin	467	497	464	-6%	1%
Kapuskasing	1,039	670	268	55%	287%
East Parry Sound	1,258	1,226	1,226	3%	3%
Muskoka	2,529	2,608	2,434	-3%	4%
Haliburton	715	760	713	-6%	0%
Huron	3,284	3,275	2,865	0%	15%
Bruce	3,631	3,403	2,978	7%	22%
Norfolk	3,738	4,026	3,020	-7%	24%
Middlesex	3,892	3,714	3,250	5%	20%
Perth	4,146	4,131	3,614	0%	15%
Elgin	4,330	4,344	3,801	0%	14%
Oxford	5,297	5,337	4,670	-1%	13%
Grey	5,336	5,332	4,999	0%	7%
Leeds & Grenville	5,360	5,203	4,553	3%	18%
Renfrew	5,437	5,202	3,576	5%	52%
Nipissing	6,134	6,647	3,739	-8%	64%
Northumberland Newca	6,206	5,927	5,557	5%	12%
Windsor	12,189	11,004	6,877	11%	77%
Brant	5,954	5,885	4,847	1%	23%

Table 3.4: Ratio of Population to Trustees - Boards of Education Comparison of the Effects of Bill 30 As Is With the Effects of Assigning the Present Total Number of Trustees to Public School Electors

BOARD NAME	CURRENT RATIO TOTAL POP PER TOTAL TRUSTEE	RATIO POP TO TRUSTEE BILL 30 AS IS	RATIO POP TO TRUSTEE BILL 30 ALT'TIVE	INCR IN TRUSTEE REP BILL 30 AS IS	INCR IN TRUSTEE REP BILL 30 ALT'TIVE
London	16,235	16,003	13,179	1%	23%
Ottawa	19,151	18,327	11,859	4%	61%
Scarborough	27,174	26,019	21,427	4%	27%
Prescott & Russell	3,142	1,788	596	76%	427%
Peterborough	5,522	5,083	4,518	9%	22%
Stormont Dundas Glen	5,639	4,625	2,826	22%	100%
Kent	5,863	5,849	4,224	0%	39%
Hastings	5,992	6,002	5,002	0%	20%
Wentworth	6,310	5,864	4,887	8%	29%
Frontenac	6,549	6,355	5,296	3%	24%
Essex	6,706	6,089	3,721	10%	80%
Lambton	6,783	6,672	5,189	2%	31%
Wellington	7,764	7,576	6,313	2%	23%
North York	30,906	28,597	22,242	8%	39%
Lakehead	6,597	6,936	4,746	-5%	39%
Sault Ste Marie	4,362	4,126	2,682	6%	63%
Sudbury	7,967	7,260	3,267	10%	144%
Niagara South	9,645	9,576	6,703	1%	44%
Simcoe	11,586	10,939	9,845	6%	18%
Carleton	12,709	11,252	9,002	13%	41%
Halton	13,225	13,231	10,585	0%	25%
Durham	14,068	13,471	11,451	4%	23%
York Region	16,203	15,572	12,458	4%	30%
Lincoln	8,401	8,216	6,651	2%	26%
Waterloo	15,630	15,272	11,636	2%	34%
Hamilton	13,986	13,631	9,914	3%	41%
Peel	24,603	25,037	17,417	-2%	41%
Toronto	23,317	20,359	17,227	15%	35%
TOTAL	7,465	7,098	5,503		

boards to elect to offer secondary education and, while a number of them have indicated an intention to do so, not all are likely to make that decision (see Appendix 2.3 for a list of stated intentions). Table 3.4 shows the "increase" in representation that would result for each board of education if all of the separate school boards opted to offer secondary education. The column entitled "Incr(ease) in Trustee Rep(resentation) Bill 30 As Is" shows the percentage increase/decrease between the present total ratio and the present ratio of public population to public trustees (the number of trustees that would constitute the board under Bill 30 as it is now written, assuming the separate boards expand). The next column "Incr(ease) in Trustee Rep(resentation) Bill 30 Alternative" gives the ratio of the public population to the current total number of trustees (that is, if the board size remained unchanged, but all of the trustees were public school trustees).

One can see at a glance that the effect of Bill 30 (as presently written and if the separate school boards opted to offer secondary education) is uneven. The ratio of population to trustees would actually rise for some boards, implying a decrease in representation as measured by this method. For others, the ratio would drop and representation would "increase". The range is between an 8 per cent decline in representation (Nipissing) and a 142 per cent increase (Hearst). The figures shown in the table illustrate the change in the representativeness of the board as a whole; the "new" results arising from the implementation of Bill 30 do not change the levels of representation for the public school supporters as a group, however.

If the legislation were amended such that the overall size of the board remained unchanged and all of the trustees became public school trustees, the change in representation would be as illustrated in the column entitled "Incr(ease) in Trustee Rep(resentation) Bill 30 Alternative". Again, one can easily see that there would be considerable variance among boards if this approach were adopted. No board would lose representation but some (those on which previously there had not been separate school trustees) would not gain representation. For others, particularly those boards on which separate school trustees had previously constituted the majority, there would be a considerable increase in levels of representation.

The difference between the two "new" ratios ranges from 0 for those boards which do not presently have separate school trustees to 200 per cent in Prescott & Russell where separate school trustees have been a sizeable majority on the Board of Education.

Some boards would be "more equal" than others, even if all separate school boards opted to offer secondary education, because the ratio of population to trustees would not reflect the relationship between the population of public school supporters and the trustees they elect, but rather between total population and public trustees. In the context of some separate boards exercising their options under Bill 30 and some choosing not to do so, the discrepancy would be even greater.

Nor would the alternative approach redress the variances illustrated in table 3.2 and, to a lesser extent, in table 3.3.

Any proposed solution to the problems identified above and any alternative method of determining the number of trustees to be elected must be feasible for a variety of board types. It must apply to boards that are wholly public, wholly separate, or a combination of the two (the present situation and a likely future for a number of boards). While it is not feasible to have a single ratio (or limited range of ratios) because boards in populous areas would be unmanageably large and boards in areas with small populations would be too small to be viable, there should be a rational basis for relating populaton levels to trustee numbers that could be applied to any board, including smaller and larger boards; urban, county, and combined boards; boards of education on which only public trustees would sit; boards of education on which both public and separate trustees would sit; and separate school boards. In anticipation of Bill 75, the method must either be applicable also to linguistic representation or be compatible with such representation.

AN ALTERNATIVE METHOD

A relatively straightforward solution would be to relate the number of trustees to be elected to the population that will elect them. That is, establish a relationship between population and trustee numbers that will be applied to each group entitled to elect trustees, and determine the overall size of the board by addition. This method contrasts with the present apportionment of a predetermined total number of trustee positions. It would still be possible to guarantee minimum levels of representation for the "core" of the board (the majority group) and/or for minority groups.

The following table sets out a recommended formula:

Population	Ratio	Maximum Number
less than 4 500	1/750	6 (min. board size)
4 500 - 9 499	6 plus 1/1 000	11
9 500 -99 499	11 plus 1/15 000	17
99 500 and more	17 plus 1/75 000	--

This schedule would be applied as illustrated for the constituent group on the board with the majority of population in the board's jurisdiction. For a board of education, this would, in most cases, be the public school population and, for a separate school board, it would generally be the population of separate school supporters. It might, however, be the separate school population in the case of a board of education (such as Prescott & Russell) where the coterminous separate school board had not elected to offer secondary education and the separate school population constituted the majority. The effect (a majority of separate school trustees) would not be different from the current situation, but the method of arriving at the result would be different and, we contend, more rational. Similarly, with the passage of Bill 75 and the establishment of French-language sections of boards, there would be boards for which the French population constituted the majority of population within the board's jurisdiction and this formula would be applied to that group.

To determine the number of trustees to be elected by minority group(s), the overall ratio of population to trustees for the majority group would be calculated (by dividing the number of trustees determined by the formula into the population of the majority group) and this ratio would be applied to the population of minority group(s) by dividing it into the population of the minority group(s).

A number of examples of how the formula would work are set out below.

(a) Boards Under 4500 (qualifying for minimum number of trustees)

Hornepayne (a small board with a minority of separate school supporters):

Population of public supporters 1286 = 6 trustees
Ratio of representation 1286/6 = 214.3
Population of separate supporters 459 = 2 trustees
(459/214.3 = 2.14 or 2)

Chapleau (a small board with a minority of public school supporters):

Population of separate supporters 2086 = 6 trustees
Ratio of representation 2086/6 = 347.6
Population of public supporters 1723 = 5 trustees
(1723/347.6 = 4.96 or 5)

(b) Small Boards (above the level of minimum representation)

Lake Superior (minority of separate school supporters):

Population of public supporters 7401

6 trustees for the first	4500 population
3 trustees for the next	2901 population (1:1000)

Ratio of representation 7401/9 = 822.3
Population of separate supporters 3825 = 5 trustees
(3825/822.3 = 4.65 or 5)

Hearst (minority of public school supporters):

Population of separate supporters 6468

6 trustees for the first 4500

2 trustees for the next 1968 (1:1000)

Ratio of representation 6468/8 = 808.5

Population of public supporters 1033 = 1 trustee

(1033/808.5 = 1.28 or 1)

(c) Medium-sized Boards

Northumberland & Newcastle (minority of separate school supporters):

Population of public supporters 88 905

6 trustees for the first 4 500

5 trustees for the next 5 000

5 trustees for the next 79 405 (1:15 000)

Ratio of representation 88 905/16 = 5556.6

Population of separate supporters 10 396 = 2 trustees

(10 396/5556.6 = 1.87 or 2)

Prescott & Russell (minority of public school supporters):

Population of separate supporters 45 826
6 trustees for the first 4 500
5 trustees for the next 5 000
2 trustees for the next 36 326 (1:15 000)
Ratio of representation 45 826/13 = 3525.1
Population of public supporters 10 727 = 3 trustees
(10 727/3525.1 = 3.04 or 3)

(d) Large Boards

Toronto (minority of separate school supporters):

Population of public supporters 447 901
11 trustees for the first 9 500
6 trustees for the next 90 000
5 trustees for the next 348 401 (1:75 000)
Ratio of representation 447 901/22 = 20 359.1
Population of separate supporters 158 346 = 8 trustees
(158 346/20 359.1 = 7.78 or 8)

It might seem more equitable simply to apply the formula to all constituent groups entitled to elect trustees to the board. However, the formula assigns lower ratios at lower population levels to ensure minimum board size and to ensure adequate representation for smaller boards. To guarantee a minimum of six trustees to a minority group or to apply the lower ratios would result in disproportionately high levels of representation for minority group(s) within boards. The suggested method ensures that all groups have an equal level (ratio) of representation within boards - that is, on average, each vote cast, regardless of the genre of trustee for whom it is cast, is of equal weight. To put it another way, each candidate for election, irrespective of the electorate she or he aspires to represent, must attract the same number of votes to be elected (within the flexibility allowed in constructing electoral districts).

Using the proposed system, each group of electors would have a clear perception of the relationship between its own population and the number of trustees it is entitled to elect. The addition of other groups of trustees to the board would not be seen as a redistribution of "their" representation but as the addition of representatives of other (legitimate) groups of electors.

Under Bill 30, the decision of a separate board to offer secondary education would not result in a redundant calculation for the coterminous board of education, but would rather reduce the number of calculations to be made in respect of that board. The number of trustees to be elected by public school supporters would, similarly, not be affected by such a decision nor would that number be perceived as a residual quantity.

The proposed method might be equally applied to linguistic representation (pursuant to Bill 75) if, instead of enrolment, population were used to determine the number of trustees to be elected to represent French or English electors in jurisdictions in which they constituted the minority. (This issue is discussed more fully in chapter 5.)

The proposed method would ensure a consistent relationship between board size and population levels for all types of boards in the province and would eliminate the need for multiple schedules and much of the special legislation presently in place. The calculations involved would be less complex than the present system of computing equalized assessments and more direct than the recommendation (made in Volume 2) to base apportionment among public and separate trustee positions on population as a subsequent step in the process. (If the method proposed above were not adopted, either as outlined or in a manner consistent with the spirit of the proposal, our recommendation to base apportionment on population rather than assessment would stand.)

The proposed method would be more clearly understood than the present method. It would establish a direct link between the population of the particular group of supporters (electors) and the trustees they elect, and in so doing would enhance voter identification with trustees and with the electoral process. In linking trustee numbers with constituent population, this method would also promote stability and would ensure that any changes in levels of representation could be clearly seen as a result of changes in the population of the group being represented, not as a by-product of changes in the numbers of, or decisions made by, another group.

In the following chapter, the simulations reported in chapter 2 are revised to illustrate the effects of adopting the suggested alternative method of determining the number of trustees to be elected to a board. The results of applying the alternative in the absence of any other legislative changes are reported as well as the effects under Bill 30, Bill 75, and the two bills in concert. These results are compared to those reported in chapter 2. More detailed discussion of issues associated with Bill 75 is found in chapter 5.

CHAPTER 4

EFFECTS OF THE ALTERNATIVE METHOD OF DETERMINING THE NUMBER OF TRUSTEES TO BE ELECTED BY CONSTITUENT GROUPS OF ELECTORS

In chapter 2, we simulated the range of outcomes Bill 30 and Bill 75 would have on patterns of representation, examining the effects they would have both individually and interactively. Several potential problems were identified, some attributable to the effects Bill 30 would have on the basic size of boards of education, others associated with the use of enrolment to determine minority-language representation. In chapter 3, we examined the way in which the overall number of trustees is determined at the present time and the way in which this method contributes to the problems arising out of the implementation of Bill 30. An alternative method was proposed for the determination of board size, namely, that the number of trustees to be elected by constituent groups of electors be based upon the population of each group and that, where more than one constituency was to be represented on a single board, the total number of trustees on the board be the sum of the numbers to be elected to represent each group. For convenience, we will refer to this as the "additive" method.

In this chapter, we will examine the effect of using the additive method to determine the number of public and separate trustees on boards of education and the number of trustees to be elected to RCSS boards. In chapter 5, we will consider the results of extending the additive method for use in determining minority-language representation.

The basic number of trustees to be elected to each board was recalculated on the basis of the formula outlined in the previous chapter:

Population	Ratio	Maximum Number
less than 4 500	1/750	6 (min. board size)
4 500 - 9 499	6 plus 1/1 000	11
9 500 -99 499	11 plus 1/15 000	17
99 500 and more	17 plus 1/75 000	--

In the case of boards of education, this formula was applied to the constituent group (public or separate supporters) with the majority of population. The overall ratio of population to trustees (population of the majority group divided by the number of trustees to be elected to represent that group) was applied to the population of the minority group (population of the minority group divided by the ratio for the majority group) to determine the number of trustees to be elected to represent the minority group.

The methodology outlined in chapter 2 was then employed again to simulate the effects of Bill 30, Bill 75, and the two bills in combination (including simulation of the possible shift of French enrolment to the RCSS system). There was one difference, however. The simulation of Bill 75 alone assumes that there will continue to be both public and separate trustees on boards of education. At the present time, calculation of the number of minority-language trustees would precede apportionment between public and separate school representation. Using the additive method, there would not be such an apportionment, and the number of trustees to be elected by each group of electors would be based on the population of each group. Therefore, minority-language trustees must be apportioned between the two groups in some way.

Under Bill 75, minority-language trustees are to be elected at large by members of the minority-language group who must indicate that they wish to vote for such trustees rather than for "regular" trustees. When individual electors indicate their choice, it will be possible to know whether they are, in terms of directing their property-tax support, public or separate school supporters. It would, therefore, be possible to apportion majority- and minority-language representation within support groups.

For the purposes of these simulations, we used proportional elementary enrolment as a measure of linguistic distribution for public school supporters and proportional secondary enrolment as a measure of linguistic distribution for separate school supporters. That is, we used the proportion that French enrolment at the elementary level represented of total elementary enrolment for each board of education to simulate the proportion that French public school supporters would represent of the total population. We used the proportion that French enrolment at the secondary level represented of total secondary enrolment for each board of education to simulate the proportion that French separate school supporters would represent of the total population. The patterns of French enrolment illustrated in chapter 2 (table 2.1) indicated a generally higher level of French enrolment at the secondary level, suggesting that an increase had resulted from the transfer of students from the RCSS system which does not presently have a secondary program. While the measures we have selected are imperfect, they will allow us to see the way in which the determination of minority representation might be integrated with the additive method of determining the number of trustees to represent public and separate school supporters on boards of education.

Calculation of the basic number of trustees was based upon 1985 population data, although in fact the 1982 data were used to determine the total number of trustees to be elected to each board in the 1985 elections. The decision to use these more recent data for the simulations was made to ensure that any difference in outcome (among constituencies) was not an artifact of the passage of time but rather the result of differences in the mechanisms employed.

For the purposes of calculating the number of minority-language trustees, Bill 75 dictates the use of enrolment data as of 30th September of the year immediately preceding the year in which a regular election is held (section 277o (5)). We have, therefore, used enrolment data from 1984 as the basis for simulating the effects Bill 75 would have had on the 1985 election if it had been in place at that time. In simulating the effects of Bill 75, we have simulated the provisions that will apply for the 1988 and subsequent elections rather than the interim provisions of the Bill.

For most of the simulations the sample includes all boards of education and RCSS boards but does not include District School Area Boards, Canadian Forces Base Boards, or boards generally known as "other" boards. Some simulations, conducted to examine a particular aspect of the issues in greater detail, employed a smaller sample. These exceptions will be noted as part of the discussion of those simulations. For full references for data and data sources, please refer to Appendix 2.1.

RESULTS

Before considering the effects of proposed legislation, it is instructive to look at the basic pattern of representation the additive method would create.

In chapter 3 (tables 3.2 and 3.3), we observed that the schedules according to which the total number of trustees to be elected to each school board is determined, give rise to highly variable ratios of population per trustee. Not only do larger boards have higher ratios (a result one would expect to find and which would not be a problem per se) but there was considerable variance for boards of the same size (number of trustees). Because determination of the number of trustees to be elected to boards of education by public and separate school electors is based on proportional equalized residential and farm assessment, rather than population, there was also a difference between the ratio of the population of public supporters (lower) and the ratio of the population of separate supporters (higher) on boards of education. The ratio for both groups, however, was more than twice the ratio for RCSS boards.

It seemed that the discrepancies could be traced to the variety of schedules (which themselves seem to assume different relationships between trustee numbers and population levels) and the use of total population (rather than constituency population). We considered also the complicating effect of Bill 30 and Bill 75 and concluded that there was a need for a method which would be applicable to boards of education on

Table 4.1: Comparison of Trustee Numbers - Boards of Education Current Numbers and Numbers Resulting from the "Additive" Proposal

BOARD NAME	CURRENT # PUB SEP TOT TRUSTEES			ADDITIVE # PUB SEP TOT TRUSTEES			INCR/DECR TRUSTEE NUMBERS		
Atikokan	7	1	8	6	2	8	-1	1	0
Brant	14	3	17	16	4	20	2	1	3
Bruce	14	2	16	14	3	17	0	1	1
Carleton	16	4	20	18	7	25	2	3	5
Central Algoma	14	0	14	10	0	10	-4	0	-4
Chapleau	4	3	7	5	6	11	1	3	4
Cochrane Iroquois Falls	8	6	14	10	10	20	2	4	6
Dryden	13	1	14	12	1	13	-1	0	-1
Dufferin	13	1	14	12	1	13	-1	0	-1
Durham	17	3	20	19	4	23	2	1	3
East Parry Sound	15	0	15	12	0	12	-3	0	-3
East York	8	2	10	16	3	19	8	1	9
Elgin	14	2	16	14	2	16	0	0	0
Espanola	9	5	14	7	5	12	-2	0	-2
Essex	11	7	18	15	12	27	4	5	9
Etobicoke	10	4	14	18	8	26	8	4	12
Fort Frances Rainy River	12	2	14	11	2	13	-1	0	-1
Frontenac	15	3	18	17	4	21	2	1	3
Geraldton	6	3	9	6	5	11	0	2	2
Grey	15	1	16	16	1	17	1	0	1
Haldimand	13	1	14	13	2	15	0	1	1
Haliburton	15	1	16	11	0	11	-4	-1	-5
Halton	16	4	20	18	4	22	2	0	2
Hamilton	16	6	22	19	8	27	3	2	5
Hastings	15	3	18	16	3	19	1	0	1
Hearst	4	8	12	1	8	9	-3	0	-3
Hornepayne	4	1	5	6	2	8	2	1	3
Huron	14	2	16	13	2	15	-1	0	-1
Kapuskasing	6	9	15	4	11	15	-2	2	0
Kenora	12	2	14	11	3	14	-1	1	0
Kent	13	5	18	15	6	21	2	1	3
Kirkland Lake	9	5	14	11	7	18	2	2	4
Lake Superior	10	4	14	9	5	14	-1	1	0
Lakehead	13	6	19	16	6	22	3	0	3
Lambton	14	4	18	17	5	22	3	1	4
Lanark	12	2	14	13	2	15	1	0	1
Leeds & Grenville	14	2	16	15	3	18	1	1	2
Lennox & Addington	13	1	14	12	2	14	-1	1	0
Lincoln	17	4	21	18	5	23	1	1	2
London	14	3	17	19	4	23	5	1	6
Manitoulin	14	1	15	8	0	8	-6	-1	-7
Michipicoten	6	4	10	6	5	11	0	1	1
Middlesex	14	2	16	14	3	17	0	1	1
Muskoka	14	1	15	13	1	14	-1	0	-1
Niagara South	14	6	20	17	7	24	3	1	4
Nipigon-Red Rock	8	0	8	6	2	8	-2	2	0
Nipissing	9	7	16	14	9	23	5	2	7
Norfolk	12	4	16	14	3	17	2	-1	1
North Shore	9	5	14	11	9	20	2	4	6
North York	14	4	18	21	8	29	7	4	11
Northumberland Newcastle	15	1	16	16	2	18	1	1	2

Table 4.1: Comparison of Trustee Numbers - Boards of Education Current Numbers and Numbers Resulting from the "Additive" Proposal

BOARD NAME	CURRENT # PUB	SEP	TOT	ADDITIVE # PUB	SEP	TOT	INCR/DECR TRUSTEE NUMBERS		
	TRUSTEES			TRUSTEES					
Ottawa	11	6	17	18	11	29	7	5	12
Oxford	14	2	16	15	2	17	1	0	1
Peel	16	7	23	21	9	30	5	2	7
Perth	14	2	16	14	2	16	0	0	0
Peterborough	16	2	18	16	4	20	0	2	2
Prescott & Russell	6	12	18	3	13	16	-3	1	-2
Prince Edward	13	1	14	12	1	13	-1	0	-1
Red Lake	9	1	10	6	1	7	-3	0	-3
Renfrew	11	5	16	14	7	21	3	2	5
Sault Ste Marie	13	7	20	14	9	23	1	2	3
Scarborough	14	3	17	21	6	27	7	3	10
Simcoe	18	2	20	18	3	21	0	1	1
Stormont Dundas Glengarry	11	7	18	14	14	28	3	7	10
Sudbury	9	11	20	12	17	29	3	6	9
Timiskaming	10	4	14	11	7	18	1	3	4
Timmins	7	7	14	10	12	22	3	5	8
Toronto	22	4	26	22	8	30	0	4	4
Victoria	13	1	14	14	1	15	1	0	1
Waterloo	16	5	21	19	7	26	3	2	5
Wellington	15	3	18	17	4	21	2	1	3
Wentworth	15	3	18	16	5	21	1	2	3
West Parry Sound	13	1	14	11	0	11	-2	-1	-3
Windsor	10	6	16	17	13	30	7	7	14
York	8	2	10	16	8	24	8	6	14
York Region	16	4	20	19	6	25	3	2	5
TOTAL	928	269	1,197	1,021	387	1,408	93	118	211

which there would be no separate trustees, boards of education on which there would be both public and separate trustees, and RCSS boards; to boards with and without minority-language representatives; to large and small boards; to urban, rural, and combined boards. We proposed the "additive" method.

The results of using this method (without, for the moment, considering the effects of Bill 30 or Bill 75) are reported in table 4-1 (boards of education) and table 4.2 (RCSS boards). Also shown, are changes in trustee numbers. Increases and decreases are relative to the present number and distribution of trustees. Overall, there would be more trustees on boards of education and fewer on RCSS boards. Some of the boards of education would be quite large: Ottawa, Peel, and Windsor would each have 30 trustees, including both public and separate trustees. Under Bill 30, however, when separate trustees would drop off the board, these boards would have 18, 21, and 17 trustees respectively. The largest RCSS board, Metropolitan Toronto, would have 23 trustees as compared with the current number - 24.

We deliberately did not establish a maximum number of trustees in order to see the full outcome of the formula. While some of the boards of education may seem overlarge, it should be noted that those with the greatest number of trustees are also boards most likely to decrease in size once Bill 30 is implemented. That is, the RCSS boards coinciding with these jurisdictions are likely, by virtue of their size, to choose to offer secondary education. The City of Toronto has the largest

Table 4.2: Comparison of Trustee Numbers - RCSS Boards Current Numbers and Numbers Resulting from the "Additive" Proposal

BOARD NAME	REG	CURRENT # SEP TRUSTEES	ADDITIVE # SEP TRUSTEES	INCREASE/ DECREASE TRUSTEE NUMBERS
Brant	CE	12	12	0
Bruce-Grey	WE	14	11	-3
Carleton	EA	16	15	-1
Chapleau	MN	8	6	-2
Cochrane Iroquois Falls	NE	8	10	2
Dryden	NW	8	6	-2
Dufferin-Peel	CE	16	18	2
Durham	CE	16	14	-2
Elgin	WE	12	10	-2
Essex	WE	14	14	0
Fort Frances Rainy River	NW	8	6	-2
Frontenac-Lennox & Addington	EA	14	12	-2
Geraldton	NW	8	6	-2
Haldimand-Norfolk	CE	12	12	0
Halton	CE	16	14	-2
Hamilton-Wentworth	CE	16	17	1
Hastings-Prince Edward	CE	14	12	-2
Hearst	NE	8	8	0
Huron-Perth	WE	14	12	-2
Kapuskasing	NE	8	11	3
Kenora	NW	8	6	-2
Kent	WE	14	13	-1
Kirkland Lake	NE	8	8	0
Lakehead	NW	14	13	-1
Lambton	WE	14	12	-2
Lanark Leeds & Grenville	EA	14	12	-2
Lincoln	CE	14	13	-1
London & Middlesex	WE	16	15	-1
Metropolitan Toronto	CE	24	23	-1
Michipicoten	MN	8	6	-2
Nipissing	NE	12	13	1
North of Superior	NW	11	7	-4
North Shore	MN	10	11	1
Ottawa	EA	16	17	1
Oxford	WE	12	11	-1
Peterborough Victoria NorthNewc	CE	16	13	-3
Prescott & Russell	EA	12	13	1
Red Lake	NW	5	6	1
Renfrew	EA	12	13	1
Sault Ste Marie	MN	13	13	0
Simcoe	CE	16	13	-3
Stormont Dundas Glengarry	EA	14	14	0
Sudbury	MN	14	17	3
Timiskaming	NE	8	10	2
Timmins	NE	10	12	2
Waterloo	CE	16	16	0
Welland	CE	14	14	0
Wellington	CE	14	12	-2
Windsor	WE	10	17	7
York Region	CE	16	15	-1
TOTAL		627	603	-24

complement of public trustees (the effective total size of the Board under Bill 30) with 22 trustees. The same number of public trustees sits on this board at the present time.

We do not recommend instituting a maximum number of trustees. It would be inconsistent with the additive approach to specify a maximum board size, and capping the number of trustees that each constituent group could elect would not necessarily ensure smaller boards.

While a minimum number of trustees was specified for the formula applied to the constituency with a majority of population, we did not establish a minimum number for the minority group (on boards of education). As a result, three boards, on which there is currently one separate school trustee each (Haliburton, Manitoulin, and West Parry Sound), have no separate school representation under the additive method. It would be possible to establish a minimum, perhaps of one trustee, to ensure minority representation for board jurisdictions in which the population of the minority group of supporters is too small to generate trustees on the basis of applying the ratio (of population per trustee) of the majority group to the population of the minority group. This guarantee would be consistent with the principle of ensuring representation for all electors/supporters and would not be inconsistent with the spirit or the operation of the additive method.

Table 4.3: Ratios of Population to Trustees - Boards of Education (Results Using the "Additive" Proposal)

BOARD NAME	ADDITIVE # PUB	# SEP	# TOT TRUSTEES	RATIO POPULATION PER TRUSTEE PUB	SEP	TOT	% VAR
Hearst	1	8	9	1,033	809	833	
Prescott & Russell	3	13	16	3,576	3,525	3,535	
Kapuskasing	4	11	15	1,005	1,051	1,039	
Chapleau	5	6	11	345	345	345	
Hornepayne	6	2	8	214	230	218	
Geraldton	6	5	11	531	576	552	
Michipicoten	6	5	11	538	525	532	
Nipigon-Red Rock	6	2	8	597	621	603	
Atikokan	6	2	8	608	516	585	N=6
Red Lake	6	1	7	619	540	607	189%
Espanola	7	5	12	769	733	754	
Manitoulin	8	0	8	870	--	876	
Lake Superior	9	5	14	822	765	802	
Cochrane Iroquois Falls	10	10	20	831	854	842	
Central Algoma	10	0	10	873	--	873	N=3
Timmins	10	12	22	2,064	2,092	2,079	0%
Kirkland Lake	11	7	18	903	928	913	
Haliburton	11	0	11	1,037	--	1,040	
Kenora	11	3	14	1,194	1,250	1,206	
Timiskaming	11	7	18	1,237	1,317	1,268	
North Shore	11	9	20	1,241	1,293	1,264	
Fort Frances Rainy River	11	2	13	1,248	1,149	1,232	N=7
West Parry Sound	11	0	11	1,394	--	1,450	50%
Dryden	12	1	13	1,492	2,188	1,545	
East Parry Sound	12	0	12	1,532	--	1,572	
Prince Edward	12	1	13	1,730	1,472	1,710	
Lennox & Addington	12	2	14	2,446	1,871	2,364	
Dufferin	12	1	13	2,505	2,313	2,490	N=6
Sudbury	12	17	29	5,445	5,530	5,495	57%
Muskoka	13	1	14	2,809	1,424	2,710	
Lanark	13	2	15	3,193	3,445	3,227	
Haldimand	13	2	15	3,315	2,781	3,244	N=4
Huron	13	2	15	3,526	3,348	3,503	20%
Victoria	14	1	15	3,364	4,429	3,435	
Bruce	14	3	17	3,403	3,483	3,417	
Norfolk	14	3	17	3,451	3,834	3,519	
Stormont Dundas Glengarry	14	14	28	3,634	3,617	3,625	
Middlesex	14	3	17	3,714	3,426	3,663	
Sault Ste Marie	14	9	23	3,831	3,734	3,793	
Renfrew	14	7	21	4,087	4,253	4,142	
Perth	14	2	16	4,131	4,252	4,146	
Nipissing	14	9	23	4,273	4,257	4,267	N=10
Elgin	14	2	16	4,344	4,237	4,330	21%
Essex	15	12	27	4,465	4,478	4,471	
Leeds & Grenville	15	3	18	4,856	4,308	4,765	
Oxford	15	2	17	4,981	5,022	4,986	N=4
Kent	15	6	21	5,069	4,916	5,025	9%

Table 4.3: Ratios of Population to Trustees - Boards of Education
(Results Using the "Additive" Proposal)

		ADDITIVE			RATIO		
	# PUB	# SEP	# TOT	POPULATION PER TRUSTEE			%
BOARD NAME		TRUSTEES		PUB	SEP	TOT	VAR
Grey	16	1	17	4,999	5,398	5,022	
East York	16	3	19	5,061	5,569	5,141	
Peterborough	16	4	20	5,083	4,518	4,970	
Brant	16	4	20	5,150	4,704	5,061	
Wentworth	16	5	21	5,498	5,122	5,408	
York	16	8	24	5,507	5,719	5,577	
Northumberland Newcastle	16	2	18	5,557	5,198	5,517	
Hastings	16	3	19	5,627	5,944	5,677	N=9
Lakehead	16	6	22	5,636	5,860	5,697	8%
Lambton	17	5	22	5,494	5,737	5,550	
Frontenac	17	4	21	5,608	5,637	5,613	
Windsor	17	13	30	6,473	6,538	6,501	
Wellington	17	4	21	6,685	6,530	6,655	N=5
Niagara South	17	7	24	7,886	8,403	8,037	36%
Lincoln	18	5	23	7,760	7,350	7,670	
Carleton	18	7	25	10,002	10,591	10,167	
Simcoe	18	3	21	10,939	11,605	11,034	
Ottawa	18	11	29	11,200	11,270	11,227	
Etobicoke	18	8	26	11,330	11,818	11,480	N=6
Halton	18	4	22	11,761	13,201	12,023	44%
Hamilton	19	8	27	11,479	11,199	11,396	
London	19	4	23	11,792	12,989	12,000	
Durham	19	4	23	12,053	13,086	12,233	
Waterloo	19	7	26	12,860	11,982	12,624	N=5
York Region	19	6	25	13,113	12,485	12,963	12%
Scarborough	21	6	27	17,346	16,282	17,110	
North York	21	8	29	19,064	19,495	19,183	N=3
Peel	21	9	30	19,076	18,364	18,862	7%
Toronto	22	8	30	20,359	19,793	20,208	
TOTAL	1,021	387	1,408	6,451	6,069	6,346	

Tables 4.3 (boards of education) and 4.4 (RCSS boards) illustrate the ratios of population to trustee numbers. One can see at a glance that there is an orderly increase in the ratio as board size (number of trustees) increases and that there is relatively little variance among boards of the same size.

Table 4.3 has been "sorted" according to the number of public trustees. In chapter 3, the data were sorted according to the overall size of the board, because the number of trustees to be elected was based on total population and any correlation would have been between total population and total number of trustees. The additive method presumes no necessary correlation between total population and total number of trustees; it relates constituency population to the number of trustees to be elected by that constituency.

The average ratio for RCSS boards (3944) continues to be lower than the average ratio for public boards (6327) because, on the whole, there are fewer very large RCSS boards. The greater number of constituencies with high-population levels on boards of education weights the average toward a higher ratio.

It is evident, however, that for each board there is a high degree of consistency between the ratio of representation for public supporters, separate supporters, and overall, as the formula requires. There is also consistency among boards with comparably sized trustee complements.

Table 4.4: Ratios of Population to Trustees - RCSS Boards
(Results Using the "Additive" Proposal)

BOARD NAME	REG	CURRENT # SEP TRUSTEES	RATIO POP PER TRUSTEE	% VAR
Red Lake	NW	6	90	
Dryden	NW	6	311	
Chapleau	MN	6	345	
Fort Frances Rainy River	NW	6	383	
Michipicoten	MN	6	437	
Geraldton	NW	6	480	N=7
Kenora	NW	6	625	594%
North of Superior	NW	7	798	
Hearst	NE	8	812	N=2
Kirkland Lake	NE	8	818	0%
Elgin	WE	10	850	
Cochrane Iroquois Falls	NE	10	851	N=3
Timiskaming	NE	10	856	0%
Kapuskasing	NE	11	1,038	
North Shore	MN	11	1,289	
Oxford	WE	11	1,289	N=4
Bruce-Grey	WE	11	1,461	41%
Haldimand-Norfolk	CE	12	1,593	
Huron-Perth	WE	12	1,668	
Lanark Leeds & Grenville	EA	12	1,695	
Hastings-Prince Edward	CE	12	1,777	
Brant	CE	12	2,002	
Timmins	NE	12	2,085	
Frontenac-Lennox & Addington	EA	12	2,169	
Wellington	CE	12	2,193	N=9
Lambton	WE	12	2,335	47%
Renfrew	EA	13	2,573	
Kent	WE	13	2,607	
Peterborough Victoria NorthNewc	CE	13	2,619	
Sault Ste Marie	MN	13	2,666	
Lakehead	NW	13	2,766	
Simcoe	CE	13	2,798	
Lincoln	CE	13	2,867	
Nipissing	NE	13	2,965	N=9
Prescott & Russell	EA	13	3,414	33%
Stormont Dundas Glengarry	EA	14	3,685	
Durham	CE	14	3,787	
Halton	CE	14	3,802	
Essex	WE	14	3,860	N=5
Welland	CE	14	4,168	13%
London & Middlesex	WE	15	4,293	
Carleton	EA	15	4,699	N=3
York Region	CE	15	4,877	14%
Waterloo	CE	16	5,344	
Windsor	WE	17	5,601	
Sudbury	MN	17	5,666	
Hamilton-Wentworth	CE	17	6,778	N=4
Ottawa	EA	17	7,155	28%
Dufferin-Peel	CE	18	9,359	
Metropolitan Toronto	CE	23	24,463	
TOTAL		603	3,944	

Tables 4.3 (boards of education) and 4.4 (RCSS boards) illustrate the ratios of population to trustee numbers. One can see at a glance that there is an orderly increase in the ratio as board size (number of trustees) increases and that there is relatively little variance among boards of the same size.

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The average ratio for RCSS boards (3944) continues to be lower than the average ratio for public boards (6327) because, on the whole, there are fewer very large RCSS boards. The greater number of constituencies with high-population levels on boards of education weights the average toward a higher ratio.

It is evident, however, that for each board there is a high degree of consistency between the ratio of representation for public supporters, separate supporters, and overall, as the formula requires. There is also consistency among boards with comparably sized trustee complements.

Table 4.4: Ratios of Population to Trustees - RCSS Boards
(Results Using the "Additive" Proposal)

BOARD NAME	REG	CURRENT # SEP TRUSTEES	RATIO POP PER TRUSTEE	% VAR
Red Lake	NW	6	90	
Dryden	NW	6	311	
Chapleau	MN	6	345	
Fort Frances Rainy River	NW	6	383	
Michipicoten	MN	6	437	
Geraldton	NW	6	480	N=7
Kenora	NW	6	625	594%
North of Superior	NW	7	798	
Hearst	NE	8	812	N=2
Kirkland Lake	NE	8	818	0%
Elgin	WE	10	850	
Cochrane Iroquois Falls	NE	10	851	N=3
Timiskaming	NE	10	856	0%
Kapuskasing	NE	11	1,038	
North Shore	MN	11	1,289	
Oxford	WE	11	1,289	N=4
Bruce-Grey	WE	11	1,461	41%
Haldimand-Norfolk	CE	12	1,593	
Huron-Perth	WE	12	1,668	
Lanark Leeds & Grenville	EA	12	1,695	
Hastings-Prince Edward	CE	12	1,777	
Brant	CE	12	2,002	
Timmins	NE	12	2,085	
Frontenac-Lennox & Addington	EA	12	2,169	
Wellington	CE	12	2,193	N=9
Lambton	WE	12	2,335	47%
Renfrew	EA	13	2,573	
Kent	WE	13	2,607	
Peterborough Victoria NorthNewc	CE	13	2,619	
Sault Ste Marie	MN	13	2,666	
Lakehead	NW	13	2,766	
Simcoe	CE	13	2,798	
Lincoln	CE	13	2,867	
Nipissing	NE	13	2,965	N=9
Prescott & Russell	EA	13	3,414	33%
Stormont Dundas Glengarry	EA	14	3,685	
Durham	CE	14	3,787	
Halton	CE	14	3,802	
Essex	WE	14	3,860	N=5
Welland	CE	14	4,168	13%
London & Middlesex	WE	15	4,293	
Carleton	EA	15	4,699	N=3
York Region	CE	15	4,877	14%
Waterloo	CE	16	5,344	
Windsor	WE	17	5,601	
Sudbury	MN	17	5,666	
Hamilton-Wentworth	CE	17	6,778	N=4
Ottawa	EA	17	7,155	28%
Dufferin-Peel	CE	18	9,359	
Metropolitan Toronto	CE	23	24,463	
TOTAL		603	3,944	

If we compare ratios at equivalent-complement levels, we can see that there is a high level of consistency among boards and between the two systems. At the level of 12 trustees, for example, there is a range from 1593 to 2335 people per trustee on the RCSS boards. For the public-supporter constituencies on boards of education with 12 trustees the range is from 1549 to 2430.

The ratio of population per trustee increases in a smooth pattern for RCSS boards. There appear, on first glance, to be breaks in the pattern for the boards of education. These are invariably boards on which the separate school trustees constitute the majority. Because the board ratio is determined by the constituency with the majority of population (and the Table is sorted on the number of public trustees), these boards are "out of place" in the Table but not out of step with the pattern. For example, Prescott & Russell has a ratio of 3414 and, with only three public trustees, is out of place in its location in the Table. If we situated it with boards on which the majority constituency has 13 trustees, it would fit nicely into the range of 2853 to 3415. The same would be true for Kapuskasing, Timmins, and Sudbury.

In chapter 3, the boards that showed the greatest discrepancy in terms of the ratio of representation were urban boards with large populations but relatively few trustees. Under the additive method, these boards would have more trustees and their ratios fit into the pattern of gradually rising ratios.

The overall ratio of representation within each board would also serve as a useful guide for internal apportionment of trustee positions among municipalities, providing the average around which the five per cent (or, as we recommended in Volume 2, 10 per cent) flexibility is permitted.

Bill 30

We simulated the effects of Bill 30 for each board of education in the sample, assuming that the separate trustees would drop off the board and that board size would equal the number of public trustees. Because the additive formula is applied to the majority (or only) constituency, the number of trustees to be elected to boards on which separate trustees had previously been in the majority would be recalculated (and was recalculated) using the proposed formula, rather than applying the ratio. This ensures that no board would fall below the minimum board size of six trustees and that the full advantage of lower ratios is applied to the generally smaller populations of public supporters in such jurisdictions.

Bill 30 has no direct effect on the number or distribution of trustees elected to RCSS boards.

The effects of Bill 30 on boards of education under the additive method are reported in table 4.5. This table shows the number of trustees that would be elected using the additive method to determine the basic pattern of trustee representation. The results of the application of Bill 30 using the additive method are shown in comparison with the effects of Bill 30 under the present method of determining board size.

While some boards would have fewer trustees than would be the case under the current arrangement, this is the result of

Table 4.5: Comparison of Trustee Numbers - Boards of Education
Effects of Bill 30 - Using the "Additive"
Proposal vs As Presently Proposed

		ADDITIVE		BILL 30		# EXTRA/
	# PUB	# SEP	# TOT	# TRUSTEES		FEWER
BOARD NAME		TRUSTEES		ADD'VE	AS IS	TRUSTEES
Atikokan	6	2	8	6	7	-1
Brant	16	4	20	16	14	2
Bruce	14	3	17	14	14	0
Carleton	18	7	25	18	16	2
Central Algoma	10	0	10	10	14	-4
Chapleau	5	6	11	6	4	2
Cochrane Iroquois Falls	10	10	20	10	8	2
Dryden	12	1	13	12	13	-1
Dufferin	12	1	13	12	13	-1
Durham	19	4	23	19	17	2
East Parry Sound	12	0	12	12	15	-3
East York	16	3	19	16	8	8
Elgin	14	2	16	14	14	0
Espanola	7	5	12	7	9	-2
Essex	15	12	27	15	11	4
Etobicoke	18	8	26	18	10	8
Fort Frances Rainy River	11	2	13	11	12	-1
Frontenac	17	4	21	17	15	2
Geraldton	6	5	11	6	6	0
Grey	16	1	17	16	15	1
Haldimand	13	2	15	13	13	0
Haliburton	11	0	11	11	15	-4
Halton	18	4	22	18	16	2
Hamilton	19	8	27	19	16	3
Hastings	16	3	19	16	15	1
Hearst	1	8	9	6	4	2
Hornepayne	6	2	8	6	4	2
Huron	13	2	15	13	14	-1
Kapuskasing	4	11	15	6	6	0
Kenora	11	3	14	11	12	-1
Kent	15	6	21	15	13	2
Kirkland Lake	11	7	18	11	9	2
Lake Superior	9	5	14	9	10	-1
Lakehead	16	6	22	16	13	3
Lambton	17	5	22	17	14	3
Lanark	13	2	15	13	12	1
Leeds & Grenville	15	3	18	15	14	1
Lennox & Addington	12	2	14	12	13	-1
Lincoln	18	5	23	18	17	1
London	19	4	23	19	14	5
Manitoulin	8	0	8	8	14	-6
Michipicoten	6	5	11	6	6	0
Middlesex	14	3	17	14	14	0
Muskoka	13	1	14	13	14	-1
Niagara South	17	7	24	17	14	3
Nipigon-Red Rock	6	2	8	6	8	-2
Nipissing	14	9	23	14	9	5
Norfolk	14	3	17	14	12	2
North Shore	11	9	20	11	9	2
North York	21	8	29	21	14	7
Northumberland Newcastle	16	2	18	16	15	1

Table 4.5: Comparison of Trustee Numbers - Boards of Education
Effects of Bill 30 - Using the "Additive"
Proposal vs As Presently Proposed

	ADDITIVE			BILL 30		# EXTRA/
	# PUB	# SEP	# TOT	# TRUSTEES		FEWER
BOARD NAME	TRUSTEES			ADD'VE	AS IS	TRUSTEES
Ottawa	18	11	29	18	11	7
Oxford	15	2	17	15	14	1
Peel	21	9	30	21	16	5
Perth	14	2	16	14	14	0
Peterborough	16	4	20	16	16	0
Prescott & Russell	3	13	16	11	6	5
Prince Edward	12	1	13	12	13	-1
Red Lake	6	1	7	6	9	-3
Renfrew	14	7	21	14	11	3
Sault Ste Marie	14	9	23	14	13	1
Scarborough	21	6	27	21	14	7
Simcoe	18	3	21	18	18	0
Stormont Dundas Glengarry	14	14	28	14	11	3
Sudbury	12	17	29	15	9	6
Timiskaming	11	7	18	11	10	1
Timmins	10	12	22	12	7	5
Toronto	22	8	30	22	22	0
Victoria	14	1	15	14	13	1
Waterloo	19	7	26	19	16	3
Wellington	17	4	21	17	15	2
Wentworth	16	5	21	16	15	1
West Parry Sound	11	0	11	11	13	-2
Windsor	17	13	30	17	10	7
York	16	8	24	16	8	8
York Region	19	6	25	19	16	3
TOTAL	1,021	387	1,408	1,044	928	116

Number extra/fewer trustees indicates board size under "additive" proposal as compared to board size under Bill 30 as presently proposed.

the additive method and reflects the relationship between population and trustee numbers as proposed in the additive-method formula. Many of the boards that would be larger reflect the same effect, in the opposite direction. A few, those boards on which separate school trustees currently constitute the majority, would be larger because the application of the formula would ensure that they have at least the minimum number of trustees (6) and that the number of trustees is otherwise related to the population of public school supporters. For most boards, the number of trustees who would be elected by public school electors under the additive method would remain unchanged by the implementation of Bill 30. For a few, the number would increase. The overall number of trustees on the board would change as a result of decisions made by RCSS boards, but the number of trustees to be elected by public school electors would not be a residual effect. Rather, using the additive method, this number would bear a direct and rational relationship to the size of the population of that constituency.

Bill 75

In this chapter, we have continued to use proportional enrolment as the basis for determining the number of minority-language trustees to be elected, although the additive method was employed to determine the number of public and separate school trustees to be elected. Because these numbers were determined independently of one another, it was not possible simply to subtract the number of minority-language trustees from the total number of trustees to be elected. The number of minority-language-trustee positions had to be subtracted from each category of trustee (public and separate) on some rational and defensible basis. We attempted to simulate the support group distribution of electors and supporters using enrolment distribution patterns as an indicator.

The number of minority-language trustees was determined by applying the proportion that minority-language enrolment represented of total enrolment. It was necessary, however, to "know" what proportion of the minority-language electors were public school supporters and what proportion were separate school supporters, so that those minority-language-trustee positions which were to be included in the total number of trustees to be elected to the board could be subtracted from the appropriate category of "regular" trustees. That is, if French-language trustees were in the minority and 75 per cent of the French-language electors were separate school supporters, 75 per cent of the minority-language-trustee positions (three if four were to be elected) would be subtracted from the total number of separate-school-trustee positions. Only one position would be subtracted from the total number of public-school-trustee positions.

For the purposes of these simulations, we used proportional elementary enrolment as a measure of linguistic distribution for public school supporters and proportional secondary enrolment as a measure of linguistic distribution for separate school supporters. That is we used the proportion that French enrolment at the elementary level represented of total elementary enrolment for each board of education to simulate the proportion that French public school supporters would represent of the total population. We used the proportion that French enrolment at the secondary level represented of total secondary enrolment for each board of education to simulate the proportion that French separate school supporters would represent of the total population. While the measures we have selected are imperfect, they will allow us to see the way in which the determination of minority representation might be integrated with the additive method of determining the number of trustees to represent public and separate school supporters on boards of education.

Tables 4.6 and 4.7 (boards of education) distinguish between the number of public- and separate-minority-language trustees to be elected. These trustees would nonetheless be elected at large as a single group by the electors who are eligible to vote for such trustees and who had declared their wish to do so. When Bill 75 has been enacted and electors are asked to state which trustees they wish to elect, it will be possible to determine the precise proportions of public and separate school supporters who will constitute the electorates of majority- and minority-language trustees. The use of the elementary and secondary linguistic enrolment proportions attempts to simulate the possible distribution that might result and to illustrate the way in which the operation of Bill 75 could be integrated with the additive method of determining the basic number of trustees to be elected. In chapter 5, we will consider the possibility of extending the additive method to the determination of minority-language representation.

The effects of Bill 75 on the pattern of trustee representation (using the combination of the additive method and proportional enrolment as described above) are reported in tables 4.6, 4.7, 4.8, and 4.9. Those boards on which English trustees constitute the majority are included in tables 4.6 (boards of education) and 4.8 (RCSS boards), while the boards on which French trustees constitute the majority are included in tables 4.7 (boards of education) and 4.9 (RCSS boards).

Table 4.6: Effects of Bill 75 on Patterns of Representation: Boards of Education ("Additive" Proposal) French Minority

BOARD NAME	NUMBER FRENCH PUB	NUMBER FRENCH SEP	*	NUMBER ENGLISH PUB TRUSTEES	NUMBER ENGLISH SEP TRUSTEES	ADD'L TRUSTEES (IN TOT)	TOTAL
Haliburton	0.00	0.00	*	11	0	0	11
Red Lake	0.00	0.00	*	6	1	0	7
Muskoka	0.00	0.00	*	13	0	0	13
Bruce	0.00	0.00	*	14	3	0	17
Nipigon-Red Rock	0.00	0.00	*	6	2	0	8
Central Algoma	0.00	0.00	*	10	0	0	10
York	0.00	0.00	*	16	8	0	24
Prince Edward	0.00	0.00	*	12	1	0	13
Dryden	0.00	0.00	*	12	1	0	13
Grey	0.00	0.00	*	16	1	0	17
Oxford	0.00	0.00	*	15	2	0	17
Atikokan	0.00	0.00	*	6	2	0	8
Lakehead	0.00	0.00	*	16	6	0	22
Elgin	0.00	0.00	*	14	2	0	16
West Parry Sound	0.00	0.00	*	11	0	0	11
Lanark	0.00	0.00	*	13	2	0	15
Dufferin	0.00	0.00	*	12	1	0	13
Fort Frances Rainy River	0.00	0.00	*	11	2	0	13
Manitoulin	0.00	0.00	*	8	0	0	8
Scarborough	0.00	0.00	*	21	6	0	27
Hornepayne	0.00	0.00	*	6	2	0	8
East York	0.00	0.00	*	16	3	0	19
Huron	0.00	0.00	*	13	2	0	15
Etobicoke	0.00	0.00	*	18	9	0	27
Peterborough	0.00	0.00	*	16	4	0	20
Perth	0.00	0.00	*	14	2	0	16
Victoria	0.00	0.00	*	14	1	0	15
Lennox & Addington	0.00	0.00	*	12	2	0	14
Kenora	0.00	0.00	*	11	3	0	14
Haldimand	0.00	.00	*	13	2	3	18
Northumberland Newcastle	0.00	.00	*	16	2	3	21
Hastings	.00	0.00	*	16	3	3	22
Norfolk	0.00	.00	*	14	3	3	20
Leeds & Grenville	0.01	0.00	*	15	3	3	21
Wellington	0.00	0.01	*	17	4	3	24
Middlesex	0.01	.00	*	14	3	3	20
East Parry Sound	0.00	0.01	*	12	0	3	15
Waterloo	0.00	0.01	*	19	6	3	28
York Region	0.00	0.01	*	19	6	3	28
Wentworth	0.00	0.01	*	16	5	3	24
Brant	.00	0.01	*	16	4	3	23
Peel	0.00	0.03	*	21	9	3	33
Lincoln	0.00	0.03	*	18	5	3	26
Halton	0.00	0.03	*	18	5	3	26
Durham	0.00	0.03	*	19	4	3	26
Lambton	0.00	0.05	*	17	5	3	25
Hamilton	0.00	0.08	*	19	8	3	30
Kent	0.00	0.08	*	15	6	3	24
Frontenac	0.13	0.01	*	17	4	3	24
Lake Superior	0.00	0.15	*	9	4	3	16
Renfrew	0.01	0.19	*	14	7	3	24

Table 4.6: Effects of Bill 75 on Patterns of Representation: Boards of Education ("Additive" Proposal) French Minority

BOARD NAME	NUMBER FRENCH PUB	NUMBER FRENCH SEP	NUMBER ENGLISH PUB TRUSTEES	NUMBER ENGLISH SEP TRUSTEES	ADD'L TRUSTEES (IN TOT)	TOTAL
Sault Ste Marie	0.00	0.21	14	9	3	26
North York	0.11	0.10	21	8	3	32
Toronto	0.29	0.03	21	8	3	32
London	0.33	0.02	18	4	3	25
Espanola	0.00	0.41	7	4	3	14
Windsor	0.14	0.33	17	13	3	33
Simcoe	0.48	0.08	18	3	2	24
Essex	0.14	0.70	15	11	2	29
Michipicoten	0.00	1.11	6	4	2	13
Carleton	0.25	0.96	18	6	2	27
Geraldton	0.00	1.29	6	4	2	13
Niagara South	1.08	0.32	16	7	2	26
Kirkland Lake	0.00	1.50	11	6	1	20
Chapleau	0.02	1.90	5	4	1	12
Timiskaming	0.02	1.92	11	6	1	20
North Shore	0.00	2.09	11	8	1	22
Nipissing	0.02	2.71	14	6	0	23
Ottawa	0.68	2.10	18	9	0	30
Stormont Dundas Glengarry	0.06	3.55	14	10	0	28
Sudbury	0.00	4.13	12	13	0	29
Cochrane Iroquois Falls	0.05	4.24	10	6	0	20
Timmins	0.04	5.18	10	7	0	22
Kapuskasing	0.02	7.43	4	4	0	15
TOTAL			1,014	326	100	1,484

Boards on which French trustees constitute the majority have been omitted from the list. The total number of trustees is the sum of the French trustees, the English trustees, and any additional trustees.

Table 4.7: Effects of Bill 75 on Patterns of Representation: Boards of Education ("Additive" Proposal) English Minority

BOARD NAME	REG	NUMBER ENGLISH PUB	NUMBER ENGLISH SEP	NUMBER FRENCH PUB	NUMBER FRENCH SEP	ADD'L TRUSTEES (IN TOT)	TOTAL
Hearst	NE	0.99	1.36	0.00	7.00	1	10.00
Prescott & Russell	EA	2.95	2.86	0.00	10.00	0	16.00
TOTAL				0	17	1	26

Boards on which English trustees constitute the majority have been omitted from the list. The total number of trustees is the sum of the English trustees, the French trustees, and any additional trustees.

Effects of Bill 75 on Patterns of Representation
("Additive" Proposal) - Boards of Education
Summary of Tables 4.6, 4.7

		English Majority		French Majority	
No Minority-Language Section		29	39.2%	-	--
Minority-Language Section	+3	28	37.8%	-	--
	+2	6	8.1%	-	--
	+1	4	5.4%	1	50%
	+0	7	9.5%	1	50%
TOTAL		74	100%	2	100%
		97.4%		2.6%	

Of the 74 boards of education on which English trustees would constitute the majority, 29 would have no French-language section. Of the 45 boards for which French-language sections would be required, 28 would require the addition of three trustees to meet the required minimum representation; six boards would require the addition of two trustees; four boards would require the addition of one trustee. There would be seven boards for which there would be a French-language section and for which the proportional calculated enrolment would be sufficient to generate at least the minimum number of trustees required under Bill 75.

There would be two boards on which French trustees would constitute the majority and, in one case, additional trustees would be required to meet the minimum number to be elected to represent minority-language interests.

Effects of Bill 75 on Patterns of Representation
("Additive" Proposal) - RCSS Boards
Summary of Tables 4.8, 4.9

		English Majority		French Majority	
No Minority-Language Section		4	5.4%	1	9.1
Minority-Language Section	+3	15	38.5%	1	9.1
	+2	13	33.3%	2	18.2
	+1	2	5.1%	1	9.1
	+0	5	12.8%	6	54.5
TOTAL		39	100%	11	100%
		78.0%		22.0%	

For the 39 RCSS boards on which English trustees would constitute the majority, only four would not have a French-language section of the board. Of the 35 boards for which a French-language section would be required, 15 would require the addition of three trustees to meet the minimum number; 13 would require the addition of two trustees; two would require only one extra trustee. There would be five boards for which a

Table 4.8: Effects of Bill 75 on Patterns of Representation:
RCSS Boards ("Additive" Proposal) French Minority

BOARD NAME	REG	NUMBER TRUSTEES		ADD'L TRUSTEES (IN TOT)	TOTAL
		FRENCH	ENG		
Kenora	NW	0.00	6	0	6
Fort Frances Rainy River	NW	0.00	6	0	6
Red Lake	NW	0.00	6	0	6
Dryden	NW	0.00	6	0	6
Elgin	WE	0.01	10	3	13
Huron-Perth	WE	0.01	12	3	15
Hastings-Prince Edward	CE	0.01	12	3	15
Lanark Leeds & Grenville	EA	0.01	12	3	15
Peterborough Victoria NorthNewc	CE	0.02	13	3	16
Haldimand-Norfolk	CE	0.17	11	3	14
Lakehead	NW	0.22	12	3	15
York Region	CE	0.25	15	3	18
London & Middlesex	WE	0.32	14	3	17
Bruce-Grey	WE	0.35	11	3	14
Waterloo	CE	0.36	16	3	19
Metropolitan Toronto	CE	0.36	23	3	26
Dufferin-Peel	CE	0.41	17	3	20
Brant	CE	0.43	12	3	15
Oxford	WE	0.48	11	3	14
Wellington	CE	0.51	12	2	15
Hamilton-Wentworth	CE	0.58	17	2	20
Frontenac-Lennox & Addington	EA	0.58	12	2	15
Welland	CE	0.64	14	2	17
Durham	CE	0.65	13	2	16
Lincoln	CE	0.68	12	2	15
Lambton	WE	0.78	11	2	14
Halton	CE	0.97	13	2	16
Renfrew	EA	1.00	12	2	15
North of Superior	NW	1.14	6	2	9
Windsor	WE	1.24	15	2	18
Simcoe	CE	1.26	11	2	14
Kent	WE	1.28	11	2	14
Sault Ste Marie	MN	1.53	11	1	14
Michipicoten	MN	2.29	4	1	7
Essex	WE	2.75	11	0	14
Geraldton	NW	2.91	3	0	6
Carleton	EA	4.36	11	0	15
North Shore	MN	5.33	6	0	11
Ottawa	EA	6.57	11	0	17
TOTAL			441	73	552

Boards on which French trustees constitute the majority have been omitted from the list. The total number of trustees is the sum of the French trustees, the English trustees, and any additional trustees.

Table 4.9: Effects of Bill 75 on Patterns of Representation:
RCSS Boards ("Additive" Proposal) English Minority

BOARD NAME	REG	NUMBER ENG TRUSTEES	NUMBER FRENCH TRUSTEES	ADD'L TRUSTEES (IN TOT)	TOT
Hearst	NE	0	8	0	8
Prescott & Russell	EA	0	13	3	16
Chapleau	MN	1	5	2	8
Kapuskasing	NE	1	10	2	13
Cochrane Iroquois Falls	NE	2	8	1	11
Timiskaming	NE	3	8	0	11
Timmins	NE	3	9	0	12
Kirkland Lake	NE	4	4	0	8
Nipissing	NE	5	8	0	13
Stormont Dundas Glengarry	EA	6	8	0	14
Sudbury	MN	8	9	0	17
TOTAL			90	8	131

Boards on which English trustees constitute the majority have been omitted from the list. The total number of trustees is the sum of the English trustees, the French trustees, and any additional trustees.

French-language section would be required and for which no additional trustees would need to be added.

There would be 11 boards on which French-language trustees would be in the majority. In one case, Hearst, there would be no English-language trustees either included in the total or as additional trustees. Of the 10 boards for which an English-language section would be required, one board would require the full three additional trustees; two boards would require two extra trustees; and one board would require only one additional trustee. There would be six boards for which an English- language section of the board would be required and for which no additional trustees would be required.

Bill 30 and Bill 75 in Combination - No Change in Enrolment Patterns

Assuming that the present distribution of English and French enrolment remained unchanged, there would be no effect on the pattern of representation for RCSS boards as a result of the interaction of the two bills. The number of trustees and the distribution of English and French trustees would remain as reported in the preceding section.

For boards of education, however, the effective size of each board (except those on which there had been no separate school trustees and those on which separate school trustees had previously been in the minority) would be smaller. The proportion of representation (based on proportional enrolment) to which minority-language electors would be entitled would remain the same, but the number of trustee positions to which this proportion would be applied would be smaller and, in consequence, fewer minority-language trustees would be elected on the basis of the formula. As table 4.10 (English majority) indicates, there would be more boards for which additional trustees would need to be added and higher levels of additional trustees would be required.

Effects of Bill 30 & Bill 75 in Combination on Patterns of Representation Assuming Constant Enrolment Distribution ("Additive" Proposal) - Boards of Education

Summary of Tables 4.10, 4.11

		English Majority		French Majority	
No Minority-Language Section		29	39.2%	-	--
Minority Language Section	+3	30	40.5%	-	--
	+2	8	10.8%	-	--
	+1	5	6.8%	-	--
	+0	2	2.7%	2	100%
TOTAL		74	100%	2	100%
		97.4%		2.6%	

Of the 74 boards of education on which English trustees would be in the majority, 29 would continue to have no French-language section. Of the 45 boards for which a French-language section would be required, 30 rather than 28 would require the addition of three extra trustees; eight boards rather than six would require two additional trustees; and five boards rather than four would require one additional trustee. Only two boards (rather than seven) for which French-language sections of the board would be required would continue to require no additional trustees.

Table 4.10: Effects of Bill 30 & Bill 75 in Combination on Patterns of Representation Assuming no Change in Enrolment: Boards of Education ("Additive Proposal") French Minority

BOARD NAME	REG	FRENCH	NUMBER ENG TRUSTEES	ADD'L TRUSTEES (IN TOT)	TOT
Haliburton	CE	0.00	11	0	11
Red Lake	NW	0.00	6	0	6
Lanark	EA	0.00	13	0	13
Grey	WE	0.00	16	0	16
Muskoka	NE	0.00	13	0	13
Bruce	WE	0.00	14	0	14
Oxford	WE	0.00	15	0	15
Central Algoma	MN	0.00	10	0	10
Dryden	NW	0.00	12	0	12
York	CE	0.00	16	0	16
Manitoulin	MN	0.00	8	0	8
Lennox & Addington	EA	0.00	12	0	12
East York	CE	0.00	16	0	16
Prince Edward	CE	0.00	12	0	12
Atikokan	NW	0.00	6	0	6
Peterborough	CE	0.00	16	0	16
Etobicoke	CE	0.00	18	0	18
Fort Frances Rainy River	NW	0.00	11	0	11
Scarborough	CE	0.00	21	0	21
West Parry Sound	NE	0.00	11	0	11
Hornepayne	MN	0.00	6	0	6
Nipigon-Red Rock	NW	0.00	6	0	6
Huron	WE	0.00	13	0	13
Victoria	CE	0.00	14	0	14
Perth	WE	0.00	14	0	14
Dufferin	CE	0.00	12	0	12
Lakehead	NW	0.00	16	0	16
Elgin	WE	0.00	14	0	14
Kenora	NW	0.00	11	0	11
Hastings	CE	.00	16	3	19
Haldimand	CE	.00	13	3	16
Norfolk	CE	.00	14	3	17
Leeds & Grenville	EA	.00	15	3	18
Northumberland Newcastle	CE	.00	16	3	19
Middlesex	WE	0.01	14	3	17
Wellington	CE	0.01	17	3	20
Waterloo	CE	0.01	19	3	22
York Region	CE	0.01	19	3	22
Wentworth	CE	0.02	16	3	19
Brant	CE	0.02	16	3	19
Peel	CE	0.03	21	3	24
Lincoln	CE	0.04	17	3	20
Halton	CE	0.05	18	3	21
Durham	CE	0.05	19	3	22
Lambton	WE	0.06	17	3	20
Hamilton	CE	0.07	19	3	22
Kent	WE	0.08	15	3	18
Frontenac	EA	0.08	17	3	20
Lake Superior	NW	0.13	9	3	12
East Parry Sound	NE	0.13	11	3	14
Sault Ste Marie	MN	0.15	14	3	17

Table 4.10: Effects of Bill 30 & Bill 75 in Combination on Patterns of Representation Assuming no Change in Enrolment: Boards of Education ("Additive Proposal") French Minority

BOARD NAME	REG	FRENCH	NUMBER ENG TRUSTEES	ADD'L TRUSTEES (IN TOT)	TOT
Renfrew	EA	0.17	14	3	17
North York	CE	0.17	21	3	24
Toronto	CE	0.20	21	3	24
London	WE	0.24	18	3	21
Windsor	WE	0.27	17	3	20
Espanola	MN	0.28	7	3	10
Simcoe	CE	0.46	18	3	21
Essex	WE	0.49	14	3	17
Michipicoten	MN	0.74	5	2	8
Geraldton	NW	0.76	5	2	8
Chapleau	MN	0.90	5	2	8
Niagara South	CE	0.93	17	2	20
North Shore	MN	1.07	10	2	13
Carleton	EA	1.16	17	2	20
Kirkland Lake	NE	1.22	10	2	13
Timiskaming	NE	1.32	10	2	13
Sudbury	MN	1.95	13	1	16
Stormont Dundas Glengarry	EA	1.98	12	1	15
Ottawa	EA	2.00	16	1	19
Cochrane Iroquois Falls	NE	2.10	8	1	11
Nipissing	NE	2.17	12	1	15
Timmins	NE	2.61	9	0	12
Kapuskasing	NE	2.87	3	0	6
TOTAL			997	111	1,132

Boards on which French trustees constitute the majority have been omitted from the list. The total number of trustees is the sum of the French trustees, the English trustees, and any additional trustees.

Table 4.11: Effects of Bill 30 & Bill 75 in Combination on Patterns of Representation Assuming no Change in Enrolment: Boards of Education ("Additive" Proposal) English Minority

BOARD NAME	REG	NUMBER ENGLISH TRUSTEES	FRENCH	ADD'L TRUSTEES (IN TOT)	TOTAL
Hearst	NE	2.53	3.00	0	6.00
Prescott & Russell	EA	5.12	6.00	0	11.00
TOTAL			9	0	17

Boards on which English trustees constitute the majority have been omitted from the list. The total number of trustees is the sum of the English trustees, the French trustees, and any additional trustees.

There would continue to be two boards on which French trustees would be in the majority and, for both, proportional enrolment would generate sufficient minority-language representation.

The use of the additive method of determining basic trustee numbers would ensure that no board fell below minimum size, and that there were no obvious anomalies whereby a group with the majority of enrolment found itself with a minority of representatives.

Using the additive method to determine basic trustee numbers but not for the determination of minority-language representation, prevented the occurrence of the most extreme of the anomalies in representation. It would continue to be the case, however, that the representation of public school electors would be effectively reduced by the representation accorded minority-language electors even though, where French was the minority language, a higher proportion likely would be separate school supporters and a lower proportion likely would be public school supporters.

The specification of three trustees as the required minimum for representation of minority-language interests continues to be somewhat rigid in comparison to the variability of the number of trustees to be elected to school boards. It would take only a proportion of 10 per cent to achieve that minimum if there were 30 trustees on a board. It would require a proportion of 50 per cent for a board with six trustees.

This issue will be addressed in Chapter 5.

Bill 30 and Bill 75 in Combination - Assuming French-Enrolment Shift to the RCSS System

Once again we simulated the pattern of trustee representation that would result if the higher level of French enrolment for boards of education at the secondary level were to shift to the RCSS system, assuming that the coterminous RCSS board offered secondary education and French-language instruction at that level. We adjusted the level of French secondary enrolment to be consistent with the proportions observed at the elementary level, recalculated total enrolment, and carried out the determination of representation once again.

Effects of Bill 30 & Bill 75 in Combination on Patterns of Representation Assuming Enrolment Shift to the RCSS System ("Additive" Proposal) - Public Boards
Summary of Table 4.12

		English Majority		French Majority	
No Minority-Language Section		54	71.1%	-	--
Minority-Language Section	+3	20	26.3%	-	--
	+2	2	2.6%	-	--
	+1	0	--	-	--
	+0	0	--	-	--
TOTAL		76	100%	-	--
		100%		--	

Table 4.12: Effects of Bill 30 & Bill 75 in Combination on Patterns of Representation Assuming French-Enrolment Shifts: Boards of Education ("Additive" Proposal) French Minority

BOARD NAME	REG	FRENCH	NUMBER ENGLISH TRUSTEES	ADD'L TRUSTEES (IN TOT)	TOTAL
Lincoln	CE	0.00	18	0	18
Atikokan	NW	0.00	6	0	6
Lennox & Addington	EA	0.00	12	0	12
Kenora	NW	0.00	11	0	11
Perth	WE	0.00	14	0	14
Kent	WE	0.00	15	0	15
Wentworth	CE	0.00	16	0	16
Kirkland Lake	NE	0.00	11	0	11
Dryden	NW	0.00	12	0	12
Lake Superior	NW	0.00	9	0	9
Durham	CE	0.00	19	0	19
Lakehead	NW	0.00	16	0	16
East York	CE	0.00	16	0	16
Lambton	WE	0.00	17	0	17
Espanola	MN	0.00	7	0	7
Lanark	EA	0.00	13	0	13
Etobicoke	CE	0.00	18	0	18
Sault Ste Marie	MN	0.00	14	0	14
Victoria	CE	0.00	14	0	14
West Parry Sound	NE	0.00	11	0	11
Grey	WE	0.00	16	0	16
Red Lake	NW	0.00	6	0	6
Haliburton	CE	0.00	11	0	11
Bruce	WE	0.00	14	0	14
Hamilton	CE	0.00	19	0	19
Manitoulin	MN	0.00	8	0	8
Hearst	NE	0.00	6	0	6
Michipicoten	MN	0.00	6	0	6
Huron	WE	0.00	13	0	13
Prince Edward	CE	0.00	12	0	12
Central Algoma	MN	0.00	10	0	10
Muskoka	NE	0.00	13	0	13
Dufferin	CE	0.00	12	0	12
York Region	CE	0.00	19	0	19
Elgin	WE	0.00	14	0	14
Nipigon-Red Rock	NW	0.00	6	0	6
Fort Frances Rainy River	NW	0.00	11	0	11
Prescott & Russell	EA	0.00	11	0	11
Haldimand	CE	0.00	13	0	13
Norfolk	CE	0.00	14	0	14
Sudbury	MN	0.00	15	0	15
North Shore	MN	0.00	11	0	11
Scarborough	CE	0.00	21	0	21
Peterborough	CE	0.00	16	0	16
East Parry Sound	NE	0.00	12	0	12
Northumberland Newcastle	CE	0.00	16	0	16
Geraldton	NW	0.00	6	0	6
York	CE	0.00	16	0	16
Hornepayne	MN	0.00	6	0	6
Oxford	WE	0.00	15	0	15
Waterloo	CE	0.00	19	0	19

Table 4.12: Effects of Bill 30 & Bill 75 in Combination on Patterns of Representation Assuming French-Enrolment Shifts: Boards of Education ("Additive" Proposal) French Minority

BOARD NAME	REG	FRENCH	NUMBER ENGLISH TRUSTEES	ADD'L TRUSTEES (IN TOT)	TOTAL
Wellington	CE	0.00	17	0	17
Halton	CE	0.00	18	0	18
Peel	CE	0.00	21	0	21
Brant	CE	.00	16	3	19
Hastings	CE	.00	16	3	19
Leeds & Grenville	EA	0.01	15	3	18
Renfrew	EA	0.01	14	3	17
Middlesex	WE	0.01	14	3	17
Nipissing	NE	0.02	14	3	17
Timiskaming	NE	0.02	11	3	14
Chapleau	MN	0.02	6	3	9
Kapuskasing	NE	0.03	6	3	9
Timmins	NE	0.05	12	3	15
Cochrane Iroquois Falls	NE	0.05	10	3	13
Stormont Dundas Glengarry	EA	0.06	14	3	17
North York	CE	0.11	21	3	24
Frontenac	EA	0.13	17	3	20
Windsor	WE	0.14	17	3	20
Essex	WE	0.14	15	3	18
Carleton	EA	0.25	18	3	21
Toronto	CE	0.29	21	3	24
London	WE	0.33	18	3	21
Simcoe	CE	0.48	18	3	21
Ottawa	EA	0.68	18	2	21
Niagara South	CE	1.08	16	2	19
TOTAL			1,039	64	1,105

Under these conditions, there are no boards on which French trustees constitute the majority. The total number of trustees is the sum of the French trustees, the English trustees, and any additional trustees.

Under these conditions there would be no boards of education with a majority of French-language trustees. All 76 would be majority English boards. Fifty-four of these would have no French-language section, while, for those for which there would be a French-language section, 20 would require three additional trustees; two boards would require two additional trustees. There would be no boards with a French-language section for which fewer than two additional trustees would be required.

For the 17 RCSS boards having jurisdictions identical to their coterminous boards of education, it was possible to simulate the corresponding effect of increased French-language enrolment. It was not possible to carry out this simulation for all RCSS boards because, for those boards whose jursidictions do not include exactly the same municipalities as the coterminous board of education, it was not possible to be certain to which RCSS board enrolment might shift. The sample is a relatively representative one, however. It represents 34 per cent of the 50 RCSS boards and 38 per cent of the 45 RCSS boards for which a minority-language section of the board might be required.

We added to the French-language enrolments of these boards the enrolment we predicted would shift from the public system, recalculated total enrolment, and carried out the determination of representation once again.

number of English-language trustees would result from the operation of the formula). Stormont Dundas and Glengarry would have one less English-language trustee (five rather than six) than would be the case if enrolment did not shift.

CONCLUSIONS

It was possible, using the additive method, to determine representation for both boards of education and RCSS boards such that comparably sized support groups would receive comparable and equitable levels of representation in terms of trustee numbers. Both comparability and equity would be preserved if Bill 30 were enacted, and any or all of the RCSS boards in the province opted to offer secondary education. The method appeared to work equally well for large and small boards. It resulted in comparable ratios of representation for urban boards (relative to rural and combined boards).

Because our simulations continued to use proportional enrolment as the basis for determining minority-language representation, the problems associated with Bill 75 (discussed in chapter 2) persisted to some extent.

We attempted in simulations of Bill 75 alone (for which it was assumed that boards of education would continue to have both public and separate school trustees) to reflect the balance between the support groups to which the students might belong. A significant difficulty in this attempt, both for the simulations and for practical purposes, is the difference between enrolment and population. Electors are asked to signify to which school system their taxes are directed. The definition of proportional enrolment, as set out in Bill 75, makes no provision for identifying the support group to which students' parents belong. As a result, there is no specified mechanism for ensuring that reduction of the number of "regular" trustees reflects the distribution of minority-language electors between the two tax-support groups.

It would be possible, however, once minority-language electors have identified themselves, to calculate the proportion who are public school supporters and the proportion who are separate school supporters. These proportions could then be applied to minority-language enrolment figures. The resulting "public-minority language" and "separate-minority language" enrolments could then be expressed as proportions of total enrolment and these proportions could then be applied to the number of public and separate trustees as determined under the additive method.

Alternatively, the additive method could be applied directly to the population of minority-language electors (and their dependants). That is, enumeration and census processes would record the population in four categories: public school supporters, English; public school supporters, French; separate school supporters, English; separate school supporters, French. The additive method would be applied to however many of these constituencies might be represented on a given board. For boards of education, this would mean as many as four groups and as few as one. For RCSS boards, this would mean either one or two groups.

In the following chapter, we attempt to illustrate how this approach might work.

CHAPTER 5

BILL 75 – ISSUES AND ALTERNATIVES

In chapter 4, we illustrated the way in which the additive method could be used to determine the number of trustees to be elected to represent constituent groups of public and separate school electors. Rather than apportioning a predetermined total number of trustees, the total was the sum of the number of trustees to be elected by each of the component groups represented on the board. We continued, however, to use proportional enrolment as the basis for determining the number of trustees who would be elected to represent minority-language interests.

ISSUES

In chapters 2 and 4, we identified a number of problems associated with the use of proportional enrolment for the purposes of determining minority-language representation.

1. As a basis for determining representation, it is inconsistent with population figures.

No necessary correlation exists between the number of students enrolled in minority-language programs and the size of the potential electorate. Average family size may vary between the French- and English-language populations. Enrolment also would not necessarily predict the number of minority-language electors without children. Indeed, there is no reason to assume that parents of children enrolled in minority-language programs will choose to vote for minority-language trustees. They may prefer to vote for "regular" trustees out of habit or because they wish to support a candidate who has represented them in the past and who they feel would continue to represent their interests without regard to the language of instruction.

2. As Bill 75 is presently written, minority-language trustees are to be included in the current total number of trustees (except where trustees must be added to meet the minimum number of minority-language trustees). At the same time, the number of trustees to be elected by majority-language groups of electors is to be reduced without regard to whether these trustees are public or separate school supporters.

The assumption is, no doubt, that the same total population is being represented and that therefore no additional trustees should be required (except to meet the guaranteed minimum): as the population would be subdivided, so too would the complement of trustees. We have noted that, because no provision is made (nor can provision easily be made) for ascertaining the support group to which minority-language students or electors belong, the inclusion of these trustees reduces representation for the majority group as a whole. Our analysis of the pattern of French-language enrolment indicates, however, that the majority of French-language enrolment in the public system is at the secondary level and probably reflects the influx of students from the separate system at that level, because there is at present no public funding for a separate secondary system. Thus the effect of reapportioning the number of trustees remaining after the number of minority-language trustees has been determined and subtracted from the total number specified for the particular board, is disproportionately greater on public school electors and inadvertently increases the representation of separate school electors. This imbalance would be resolved only if Bill 30 is implemented and then only if the coterminous RCSS board chose to offer French-language instruction at the secondary level.

3. The guarantee of a minimum of three minority-language trustees is too rigid a number and may be too high.

Under the current provisions for determining and apportioning trustee positions, the combination of Bill 30 (which would reduce the number of trustees on boards of education) and Bill 75 (which guarantees a minimum of three minority-language trustees) is capable of resulting in at least one board having more minority-language trustees than the majority (enrolment) group would be entitled to elect. In a board with a population for which six trustees would be elected, the minority-language group would have to have 50 per cent of the enrolment to "earn" three trustees. For a board entitled to 18 trustees, the minority-language enrolment would only have to be 16 per cent to 17 per cent of the total to generate three trustee positions. The smaller the number of trustees to be elected to a given board, the higher the proportion of minority-language enrolment must be to generate three trustees.

Similarly, the smaller the board (in terms of trustee numbers), the greater the impact of adding trustees. To the extent that minority-language trustees are additional, they have the ability to overrepresent their electorate on board matters other than minority-language issues.

Other issues not evidenced by the data presented in preceding chapters also merit consideration.

4. As Bill 75 is currently written, minority-language trustees are to be elected at large by eligible electors who have indicated their wish to do so.

For some boards, minority-language trustees would constitute a significant minority of the board and, in some cases, there could be as many minority- as majority-language trustees. In such cases, it might be desirable to apportion minority-language-trustee positions included in the board total among municipalities, rather than electing them at large as Bill 75 proposes. Apportionment would assist in minimizing the distinction between the two types of trustees. A decision to apportion such positions would reinforce the argument for using population as the basis for determining minority-language representation because it would be important to link the electorate with the determination of trustee numbers.

THE ALTERNATIVE

The issues identified above indicate a need to find an alternative basis for determining the number of minority-language trustees and for changing other aspects of such representation.

In chapter 3, we proposed an alternative method for the determination of the number of public and separate school trustees. The results of applying this method were illustrated in chapter 4. In this chapter, we will illustrate the way in which the additive method could be applied to the determination of minority-language representation.

The additive method associates trustee numbers with the population of the constituency to be elected. A formula (outlined in chapter 3) is applied to the population of the constituency with the largest population. The resulting ratio of representation (majority population divided by the number of trustees to be elected by that group) is applied to the population of the minority group (minority-group population divided by the ratio for the majority group). The total number of trustees to be elected to the board is the sum of the numbers determined for each of the constituent groups of electors. It would be possible, therefore, simply to increase the number of constituencies. For boards of education, four groups could be represented: English-language public school supporters, French-language public school supporters, English-language separate school supporters, and French-language separate school supporters. For RCSS boards, there could only be two constituencies: English-language separate school supporters and French-language separate school supporters. The formula would be applied to whichever constituency had the largest population and the ratio of representation would then be applied to the populations of the other constituency(ies).

This approach would eliminate a number of the issues identified above. The basis for determination would be consistent for all groups of supporters and electors. Representation for all groups would reflect the interests of both (tax) supporters and those whose needs are met by the education system. Representation for each group would reflect the population of that group and would not constitute a loss of representation for any other group. To the extent that one group of supporters/electors had fewer trustees than would be the case in the absence of Bill 75, this would reflect the division of the population of that group into its linguistic parts. The use of the same method to determine representation for all groups of electors would minimize the perception of some trustees as "regular" and others as a special category.

Some issues would remain to be addressed by means other than simply changing the method of determining their numbers: (1) the minimum number of trustees to be guaranteed to minority-language electors; (2) the question of whether these trustee positions should be apportioned among municipalities.

A decision to adopt the additive method and to apply it to the determination of the number of minority-language trustees to be elected would require that the enumeration/census process employ four categories: (1) public school supporters entitled to vote for English-language trustees (either by definition or, in board jurisdictions in which English would be the minority language, by indicating their wish to do so); (2) public school supporters entitled to vote for French-language trustees (either by definition or, in board jurisdictions in which French would be the minority language, by indicating their wish to do so); (3) separate school supporters entitled to vote for English-language trustees (either by definition or, in board jurisdictions in which English would be the minority language, by indicating their wish to do so); and (4) separate school supporters entitled to vote for French-language trustees (either by definition or, in board jurisdictions in which French would be the minority language, by indicating their wish to do so). Representation would then be determined on the basis of the population of each category.

In the second part of this chapter, we will consider the issue of minimum representation for minority-language electors. In the context of the additive method, it would seem appropriate to establish a very minimal guarantee. In Volume 2, we recommended that minimum representation should be guaranteed to minority electorates and that, where such representation did not occur naturally as part of the determination process, one trustee should be added to the board to represent the minority group. It would be consistent with our recommendation for 10 per cent flexibility in apportionment of trustee positions among municipalities to consider a guarantee of a minimum of one trustee or a number of trustees equal to 10 per cent of the board total, whichever is greater. The question of apportionment will be addressed in chapter 6.

Because minority groups may, by definition, be expected to be relatively small, it would be appropriate for minority-language electors of both tax-support groups to elect a single body of trustees. That is, if French were the minority-language group, French public school electors and French separate school supporters would vote together for trustees who would effectively represent both tax-support groups. The data suggest that, where French is the language of the minority, most of the French-language electorate would be separate school supporters. Where English is the language of the minority, most of the English-language electorate would be public school supporters. The proposed arrangement is consistent with the provisions of Bill 75. The determination of the numbers to be elected could be made on the basis of the population of each group separately, with the total determined by addition, or could be based on the combined minority-language population (of the two tax-support groups). Minimum representation would, in either case, be calculated relative to the number of trustees to which the combined minority-language populations (public and separate school supporters) would be entitled.

METHODOLOGY

For these simulations, we have used only the 17 board jurisdictions for which the boards of education and RCSS boards comprise the same municipalities and, therefore, the same populations. We simulated the four categories of population by using enrolment distribution at the elementary level as a measure of the French and English proportions of the two tax-support groups because the necessary population data (broken down by linguistic and tax-support characteristics) were not available. That is, we applied the proportions that French and English enrolment represented at the elementary level to the population of public school supporters to approximate the populations of French public school supporters and English public school supporters. We applied the proportions of French and English enrolment in the RCSS system to the population of separate school supporters to approximate the populations of French separate school supporters and English separate school supporters. These approximations are imperfect measures because family size may vary, because enrolment is not necessarily a predictor of the population without children, and, even if we have accurately simulated the populations of the four groups, because there is no requirement for individuals to choose to become minority-language electors. Nonetheless, it is possible to see how the additive method could be used to determine representation for the various categories of supporters and to derive some sense of what pattern of representation might result.

We were not able to conduct these simulations for all boards in the province, because, where board jurisdictions comprised different municipalities, the populations involved would also differ and any attempt to simulate subdivisions of population would be extremely unreliable. The sample we used is, however, fairly representative. It includes 22 per cent of the total number of boards of education (76) and 36 per cent of the 47 boards of education for which minority-language sections would be required. It includes 34 per cent of the 50 RCSS boards and 38 per cent of the 45 RCSS boards for which minority-language sections would be required.

Having simulated the four populations, we employed the additive method as outlined above, applying the formula to the group with the largest population and the resulting ratio to the other constituencies that would be represented on the board. The total number of trustees on each board was the sum of the numbers to be elected by each constituency. We also calculated the additional trustee numbers that would be required under the present terms of Bill 75. In addition, we calculated the number of additional trustees that would be required to meet a minimum of 10 per cent of the total number of trustees on the board.

The use of the additive method to determine representation pursuant to Bill 75 would not affect the results reported in the previous chapter with respect to the basic pattern of representation on school boards in the absence of Bill 30 and Bill 75. Nor would the results of applying the additive method pursuant to Bill 30 be different. Therefore, in this chapter, discussion is confined to the patterns of representation that would result if Bill 75 were revised to require use of the additive method to determine minority-language representation. It is assumed, for the purposes of these simulations, that the additive method would be used to determine trustee numbers in the absence of the two bills and for determinations pursuant to Bill 30.

RESULTS

Table 5.1 shows the simulated populations of the four categories of school supporters (including electors, their dependants, and those ineligible to vote). The population of French public school supporters is generally very low. Only in Ottawa and Prescott & Russell does this group represent more than one per cent of the total population of public school supporters. In contrast, only one RCSS board (Elgin) has a population of French separate school supporters that does not exceed one per cent of the total population of separate school supporters.

On the basis of these four categories of population, we "determined" the number of trustees to be elected by each constituency to be represented on each of the two types of school boards (board of education and RCSS board). The resulting patterns of representation are reported in tables 5.2 through 5.9.

We used the additive method for all four categories of population.

Table 5.1: Seventeen School Board Jurisdictions for Which Boards of Education and RCSS Boards Comprise the Same Municipalities Est'ted Population in Four Linguistic/Support Group Categories

BOARD NAME	FRENCH PUBLIC POP'N	ENGLISH PUBLIC POP'N	FRENCH SEPARATE POP'N	ENGLISH SEPARATE POP'N	TOTAL POP'N
Chapleau	6	1,717	1,782	286	3,791
Cochrane Iroquois Falls	45	8,265	6,426	2,109	16,845
Durham	0	229,014	2,453	50,069	281,536
Elgin	0	60,810	5	8,469	69,284
Geraldton	0	3,186	1,396	1,486	6,068
Halton	0	211,694	3,706	49,098	264,498
Hearst	9	1,024	6,468	0	7,501
Kapuskasing	20	4,001	10,061	1,499	15,581
Lakehead	0	90,173	611	34,551	125,335
Lincoln	0	139,672	1,956	34,793	176,421
Michipicoten	0	3,225	1,002	1,621	5,848
Ottawa	7,491	194,109	47,002	76,972	325,574
Prescott & Russell	195	10,532	44,347	1,479	56,553
Sault Ste Marie	0	53,635	4,082	29,525	87,242
Stormont Dundas Glengarry	223	50,648	28,091	22,548	101,510
Timmins	87	20,551	18,402	6,703	45,743
York Region	0	249,152	1,234	73,678	324,064
TOTAL	8,076	1,331,408	179,022	394,888	1,913,394

NB - Because of computer rounding, totals may not exactly equal the sum of the individual, estimated population figures.

Bill 75 Only

Tables 5.2 and 5.3 report the numbers and distribution of trustees for population groups to be represented on the boards of education, assuming only Bill 75 has effect. Of the 17 boards, 13 have a majority of English public school trustees and four have a majority of French separate school trustees. No boards exist for which English separate school trustees or French public school trustees would constitute the majority.

Ottawa is the only board of education with a population of French public school supporters that would be large enough to generate entitlement to an identifiably French public school trustee.

All 17 boards would require a minority-language section. Of the four French-majority boards which would have an English-language section of the board, only one (Hearst) would require (two) additional trustees . The other three French-majority boards would not require additional trustees to meet the stipulated minimum of three trustees.

Of the 13 English-majority boards, for all of which a French-language section would be required, five would not require additional trustees. Six would require the addition of three trustees to meet the minimum, one would require two extra trustees and one board would require only one extra trustee.

⁄ The right-hand column of the two tables shows the number of trustees that would have to be added if the required minimum representation were one trustee or a number of trustees equal to 10 per cent of the total number of trustees on the board. A negative number indicates that minority-language representation on the board, as determined by the additive method, exceeds the 10 per cent level. A "-1" indicates that the 10-per-cent condition would be satisfied with one less trustee than the additive method has determined.

Tables 5.4 and 5.5 report the results of applying the additive method to the populations to be represented on the RCSS boards in the sample, assuming that only Bill 75 will have effect. Only two constituencies would be represented on the RCSS boards: French and English separate school supporters.

Of the 17 RCSS boards, 7 would have a majority of French trustees; 10 would have a majority of English trustees. Only one board, Hearst (a French-majority board), would not have an English-language section of the board. The other 16 boards would all have minority-language sections of the board.

Of the six French-majority boards requiring an English-language section, three would require no additional trustees. One would have to add two trustees, and one would have to add one trustee.

All 10 of the English-majority boards would be obliged to have a French-language section. Three of these would not have

Table 5.2: Boards of Education - Population of English Public School Supporters in the Majority (Bill 75 Only)

	NUMBER OF TRUSTEES					# EXTRA TRUSTEES REQUIRED BY (NOT IN TOT)	
BOARD NAME	ENG PUB	ENG SEP	FR SEP	FR PUB	TOT	BILL 75	10% MIN
Cochrane Iroquois Falls	10	3	8	0	21	0	0
Durham	19	4	0	0	23	3	2
Elgin	14	2	0	0	16	3	2
Geraldton	6	3	3	0	12	0	0
Halton	18	4	0	0	22	3	2
Lakehead	16	6	0	0	22	3	2
Lincoln	18	4	0	0	22	3	2
Michipicoten	6	3	2	0	11	1	-1
Ottawa	18	7	4	1	30	0	0
Sault Ste Marie	14	8	1	0	23	2	1
Stormont Dundas Glengarry	14	6	8	0	28	0	0
Timmins	12	4	11	0	27	0	0
York Region	19	6	0	0	25	3	3
TOTAL	184	60	37	1	282		

Table 5.3: Boards of Education - Population of French Separate School Supporters in the Majority (Bill 75 Only)

	NUMBER OF TRUSTEES					# EXTRA TRUSTEES REQUIRED BY (NOT IN TOT)	
BOARD NAME	FR SEP	FR PUB	ENG PUB	ENG SEP	TOT	BILL 75	10% MIN
Chapleau	6	0	6	1	13	0	0
Hearst	8	0	1	0	9	2	0
Kapuskasing	11	0	4	2	17	0	0
Prescott & Russell	13	0	3	0	16	0	0
TOTAL	38	0	14	3	55		

Table 5.4: RCSS Boards - Population of English Separate School Supporters in the Majority (Bill 75 Only)

BOARD NAME	NUMBER ENG TRUSTEES	 FR	TOTAL	# EXTRA TRUSTEES REQUIRED BY BILL 75 (NOT IN TOT)	 10% MIN
Durham	14	1	15	2	0
Elgin	10	0	10	3	1
Geraldton	6	6	12	0	0
Halton	14	1	15	2	0
Lakehead	13	0	13	3	1
Lincoln	13	1	14	2	0
Michipicoten	6	4	10	0	0
Ottawa	15	9	24	0	0
Sault Ste Marie	12	2	14	1	-1
York Region	15	0	15	3	2
TOTAL	118	24	142		

Table 5.5: RCSS Boards - Population of French Separate School Supporters in the Majority (Bill 75 Only)

BOARD NAME	NUMBER FR TRUSTEES	 ENG	TOTAL	# EXTRA TRUSTEES REQUIRED BY BILL 75 (NOT IN TOT)	 10% MIN
Chapleau	6	1	7	2	0
Cochrane Iroquois Falls	8	3	11	0	0
Hearst	8	0	8	0	0
Kapuskasing	11	2	13	1	-1
Prescott & Russell	13	0	13	3	1
Stormont Dundas Glengarry	12	10	22	0	0
Timmins	12	4	16	0	0
TOTAL	70	20	90		

to add extra trustees to meet the minimum required by Bill 75. Three would require three additional trustees; three would require two extra trustees; one would require one additonal trustee.

The right-hand column of the two tables shows the number of trustees that would have to be added if the required minimum representation were one trustee or a number of trustees equal to 10 per cent of the total number of trustees on the board. A negative number indicates that minority-language representation on the board, as determined by the additive method, exceeds the 10-per-cent level. A "-1" indicates that the 10-per-cent condition would be satisfied with one less trustee than the additive method has determined.

The results reported for the RCSS boards would be unaffected by the implementation of Bill 30. Because the number of trustees would be determined on the basis of population, changes in enrolment patterns would not affect the number or distribution of trustees on RCSS boards. The pattern of representation would change only if the RCSS board ceased to offer French-language instruction at any level in jurisdictions in which French was the minority language, or if that RCSS board ceased to offer English-language instruction at any level in jurisdictions in which English was the minority language. In such circumstances, the requirement for a minority-language section of the board would cease and the additive method would be applied to the population of separate school supporters as a whole, rather than to its linguistic components.

Bill 75 & Bill 30, Assuming Constant Patterns of Enrolment

Although determination of the number of trustees to be elected to a given school board would be based upon the populations of the constituency(ies) to be represented, the existence or non-existence of a program of instruction in the minority language would constitute the prerequisite for requiring a minority-language section of the board. Therefore, if a school board offered a program of instruction in the minority language, a minority-language section of the board would be required. Determination of the number of trustees would be based upon the populations of the constituency(ies) eligible to be represented on that board.

The question of eligibility would be determined according to the provisions of Bill 30; BUT, under the additive method, a distinction would be made between programs of instruction in the English language and programs of instruction in the French language. If an RCSS board decided, under the terms of Bill 30, to offer a secondary program but to offer it only in English, French separate school supporters would continue to elect representatives to the board of education as long as it offered a program of instruction in the French language. Similarly, if French were the language of instruction and no English program were offered, English separate electors would continue to elect trustees to the board of education.

Thus, in separating the languages of instruction and the linguistic populations of supporters and electors, we would continue to ensure that all groups were represented, with respect to instruction in the language of the minority, on the school board that would provide that instruction.

If the RCSS board chose to offer a program of secondary education in both languages, no separate school trustees of either linguistic group would be elected to the board of education in the same jurisdiction.

In this section, we have simulated the patterns of representation that would result if the coterminous RCSS board offered secondary education only in the language of the majority, while the board of education continued to offer instruction in the language(s) in use before the introduction of either Bill 30 or Bill 75.

Tables 5.6 and 5.7 report the numbers and distribution of trustees to be elected by the constituencies to be represented on boards of education, assuming both Bill 75 and Bill 30 are operative but that change occurs in the current pattern of enrolment. Although representation would not be based on linguistic-enrolment proportions, the existence of a program of instruction in the minority language would constitute the condition for having a minority-language section of the board. Therefore, a shift in enrolment could result in the closure of a program of instruction in the minority language and in the board no longer requiring a minority-language section. The assumption of constant enrolment patterns, therefore, allows us to presume that the requirement for each of the boards of

Table 5.6: Boards of Education - Population of English Public School Supporters in the Majority (Bill 75 & Bill 30) Assuming RCSS Board Does Not Offer French Secondary Education

	NUMBER OF TRUSTEES					# EXTRA TRUSTEES REQUIRED BY	
BOARD NAME	ENG PUB	ENG SEP	FR SEP	FR PUB	TOT	BILL 75 (NOT IN TOT)	10% MIN
Cochrane Iroquois Falls	10	0	8	0	18	0	0
Durham	19	0	0	0	19	3	2
Elgin	14	0	0	0	14	3	1
Geraldton	6	0	3	0	9	0	0
Halton	18	0	0	0	18	3	2
Lakehead	16	0	0	0	16	3	2
Lincoln	18	0	0	0	18	3	2
Michipicoten	6	0	2	0	8	1	-1
Ottawa	18	0	4	1	23	0	0
Sault Ste Marie	14	0	1	0	15	2	1
Stormont Dundas Glengarry	14	0	8	0	22	0	0
Timmins	12	0	11	0	23	0	0
York Region	19	0	0	0	19	3	2
TOTAL	184	0	37	1	222		

Table 5.7: Boards of Education - Population of French Separate School Supporters in the Majority (Bill 30 & Bill 75) Assuming RCSS Board Does Not Offer French Secondary Education

	NUMBER OF TRUSTEES					# EXTRA TRUSTEES REQUIRED BY	
BOARD NAME	FR SEP	FR PUB	ENG PUB	ENG SEP	TOT	BILL 75 (NOT IN TOT)	10%
Chapleau	6	0	6	0	12	0	0
Hearst	8	0	1	0	9	2	0
Kapuskasing	11	0	4	0	15	0	0
Prescott & Russell	13	0	3	0	16	0	0
TOTAL	38	0	14	0	52		

education in the sample to have a minority-language section will remain unchanged by the implementation of Bill 30.

As the tables show, there would no longer be English separate school trustees on the boards and the total number of trustees on each board would reflect this change. Most of the boards in the sample would have a smaller total number of trustees. Two exceptions to this expectation would be Hearst and Prescott & Russell (majority French boards) to which no English separate trustees would have been elected under Bill 75 using the additive method.

There would be no change in the number of trustees to be elected by the other constituencies on the board. Nor is any change foreseen in the number of additional trustees to be elected to the board under the terms of Bill 75. There could be, and for some boards there are, changes in the number of trustees that would be required to meet the minimum of one trustee or a number equal to 10 per cent of the number of trustees on the board. For Elgin and York Region, the total number of trustees on the board has declined to such an extent that the 10-per-cent minimum would require only one and two extra trustees respectively, rather than two and three.

The change in the required minimum number of minority-language trustees for these two boards (and lack of change for the other boards) reflects the flexibility of a percentage-based minimum requirement. The minority-language group (French in these two cases) would be guaranteed the same level of representation in terms of the percentage of trustees it would be entitled to elect, and the impact of minority-language trustees on the board as a whole would be both constant and predictable.

Bill 75 & Bill 30, Assuming Enrolment Shifts

In this section, we simulated the pattern of representation that would result if the coterminous RCSS board chose to offer secondary education in both the majority and minority languages of instruction. We predicted that, in this case, students who had transferred from the separate school system or who would otherwise have done so in the future in order to receive a secondary education would move to or remain with the separate school system. If this were the case, and our assumptions are correct about the makeup of the students enrolled in programs of French-language instruction at the secondary level with boards of education, a number of boards of education might no longer require a minority (French)-language section of the board.

The RCSS boards would not be affected by the enrolment shift. An influx of additional French (or English)-language enrolment would affect the prerequisite for a minority-language section of the board, only if it resulted in a board which had not previously offered instruction in the minority language deciding to introduce instruction in the minority language. The level of enrolment would not affect the number of trustees to be elected by the constituencies represented on RCSS boards, because the determination of this number would be based on population rather than on enrolment.

Tables 5.8 and 5.9 illustrate the pattern of representation for boards of education if both Bill 30 and Bill 75 had effect and if there were a shift in enrolment from the public to the separate school system. This shift would, we predict, follow the decision of an RCSS board to offer instruction in French as well as in English at the secondary level. As we noted earlier, the higher level of French-language enrolment at the secondary level for boards of education seems to indicate an influx of French-language students from the separate system at the secondary level (along with other students from that system at this level) because there is not, at present, a separate secondary system.

Neither French nor English separate school trustees would be elected to boards of education in jurisdictions in which the coterminous RCSS board offered instruction in the minority language at the secondary level. Representation for English and French public school supporters would be determined on the basis of the populations of these two constituencies. Those boards of education on which French-language separate trustees had constituted the majority, would become English-majority boards. It would be necessary, therefore, to recalculate the number of trustees to be elected, applying the additive-method formula to the constituency with the majority of population (English public school supporters) and the resulting ratio of representation to the constituency with the minority of population (French public school supporters). We made the necessary recalculations, the results of which are reported in Tables 5.8 and 5.9.

Table 5.8: Boards of Education - Population of English Public School Supporters in the Majority (Bill 30 & Bill 75) Assuming RCSS Board Does Offer French Secondary Education

	NUMBER OF TRUSTEES					# EXTRA TRUSTEES REQUIRED BY	
BOARD NAME	ENG PUB	ENG SEP	FR SEP	FR PUB	TOT	BILL 75	10% MIN
						(NOT IN TOT)	
Cochrane Iroquois Falls	10	0	0	0	10	3	1
Durham	19	0	0	0	19	0	0
Elgin	14	0	0	0	14	0	0
Geraldton	6	0	0	0	6	0	0
Halton	18	0	0	0	18	0	0
Lakehead	16	0	0	0	16	0	0
Lincoln	18	0	0	0	18	0	0
Michipicoten	6	0	0	0	6	0	0
Ottawa	18	0	0	1	19	2	1
Sault Ste Marie	14	0	0	0	14	0	0
Stormont Dundas Glengarry	14	0	0	0	14	3	1
Timmins	12	0	0	0	12	3	1
York Region	19	0	0	0	19	0	0
TOTAL	184	0	0	1	185		

Table 5.9: Boards of Education - Population of French Separate School Supporters PREVIOUSLY in the Majority (Bill 30 & Bill 75) Assuming RCSS Board Does Offer French Secondary Education

	NUMBER OF TRUSTEES					# EXTRA TRUSTEES REQUIRED BY	
BOARD NAME	FR SEP	FR PUB	ENG PUB	ENG SEP	TOT	BILL 75	10% MIN
						(NOT IN TOT)	
Chapleau	0	0	6	0	6	3	1
Hearst	0	0	6	0	6	3	1
Kapuskasing	0	0	6	0	6	3	1
Prescott & Russell	0	0	11	0	11	3	1
TOTAL	0	0	29	0	29		

All four boards which had had a majority of French separate school trustees would become English-majority boards if the coterminous RCSS boards were to offer a program of French-language instruction at the secondary level. All four would require a French-language section of the board and, in all four cases, three trustees would have to be added to the board to achieve the minimum level of representation stipulated by Bill 75. The application of the 10-per-cent minimum guarantee would require that only one trustee be added to each of these boards.

Of the 13 boards which would have had a majority of English-language trustees in any case, nine would no longer require a French-language section of the board. All nine had required French-language sections before the enrolment "moved" from the public to the separate school system. Of the four boards which would continue to require French-language sections, three would require the addition of three trustees, and one would require two extra trustees to meet the minimum level of representation provided by Bill 75. The number of extra trustees required to meet a minimum of 10 per cent of the total number of trustees on the board is shown in the right-hand column. In all four cases, the 10-per-cent minimum would require the addition of fewer trustees than would Bill 75 as it is presently written.

MINIMUM REPRESENTATION

One of the issues we identified with respect to Bill 75, was the rigidity and level of minimum representation specified for the minority-language section of a school board. The smaller the number of trustees on a school board, the higher the proportion of population must be to generate three trustees, using any method of calculating the number of minority-language trustees to be elected. In addition, three trustees is a higher level of minimum representation than is guaranteed to other minority groups (a minimum of one separate school trustee is guaranteed for boards of education whose jurisdiction includes provision of secondary education to the children of separate school supporters).

While the need for meaningful discussion of minority-language issues is clear, it is less clear that trustees who are explicitly "additional" should have a significant impact on the decision making with respect to other board issues. For a board which would elect six trustees, three additional trustees would constitute a significant impact.

It may be more appropriate to guarantee a lower, and more flexible, level of minimum representation. We have simulated the results of guaranteeing a minimum of one trustee or a number equal to 10 per cent of the total number of trustees to be elected to the board. In tables 5.10 through 5.17, we report the total number of trustees to be elected to each of the boards in the sample, as determined by the additive method, the number of additional trustees required for minority-language representation by Bill 75, and the number required by the one-trustee or 10-per-cent minimum. We also show the "overrepresentation" Bill 75 would provide relative to the one-trustee or 10 per cent minimum. In addition, we show the percentage that the additional trustees required by Bill 75 would constitute of the total number of trustees to be elected to each board.

The additional trustees required under Bill 75 represent a variable percentage of the number of trustees included in the board total - the variance reflects differences in the sizes of the boards (as expressed by number of trustees) and the number of trustees that must be added to ensure that there are three minority-language trustees. In contrast, the one-trustee or 10-per-cent minimum would ensure that the number of trustees included in the basic total number to be elected to the board and additional minority-language trustees would not exceed 10 per cent of the total number of trustees to be elected to the board. There would be an exception in those cases in which the population of the minority-language group(s) would generate a higher number of trustees on the basis of the additive formula/ratio approach. Nor would any board, for which a minority-language section of the board was required, have a level of minority-language representation that was less than 10 per cent of the total number of trustees.

Of particular note are tables 5.16 and 5.17 which illustrate the patterns of additional minority-language trustees that might result if the coterminous RCSS boards chose to offer secondary education in both languages. Three of the four boards on which French separate trustees had previously constituted the majority would become quite small, having only six trustees each. The addition of three extra French-language trustees would constitute 50 per cent of the basic number of trustees and 33 1/3 per cent of the final board size once the extra trustees had been added.

The need for meaningful discussion of minority-language issues would have to be addressed, however, if a decision were made to institute a lower and/or more flexible level of minimum representation for minority-language interests. It would be possible for the French Language Advisory Committee model to be preserved and employed as the forum for discussion of minority-language issues for those boards in which the number of minority-language trustees (either included in the basic total number to be elected to the board or additional on the basis of the one-trustee or 10-per-cent minimum) was less than three. Those trustees elected to the minority-language section of the board (either included in the board total or additional on the basis of the one-trustee or 10-per-cent minimum) would be members of the FLAC (or ELAC) to which other representatives of the minority-language community would be elected as well. The FLAC (or ELAC) would serve as a forum for full discussion of minority-language issues. It would be the responsibility of the minority-language trustees to represent the FLAC (or ELAC) on minority-language issues at the board level, conveying the decisions of the FLAC (or ELAC) to the board for action as decisions of the minority-language section of the board. On all matters not exclusively within the jurisdiction of the French- or English-language sections of the board, the minority-language trustees (either included in the basic number of trustees to be elected to the board or additional on the basis of the one-trustee or 10-per-cent minimum) would have the normal duties, responsibilities, and rights of school board trustees. The composition of the board would, under this arrangement, reflect the distribution of population between the constituency(ies) eligible for representation on the board. No one group would be extremely "overrepresented" with respect to issues that were not the exclusive jurisdiction of the French- or English-language sections of the board. Yet the concerns of each group could receive full discussion and consideration by each of those sections with the assistance of a FLAC or ELAC as required.

Table 5.10: Boards of Education - Population of English Public School Supporters in the Majority (Bill 75 Only)

BOARD NAME	TOT # TRUSTEES	# EXTRA TRUSTEES REQUIRED BY BILL 75 (NOT IN TOT)		BILL 75 "OVER-REP"	BILL 75 ADD'L AS % TOT
		BILL 75	10% MIN		
Cochrane Iroquois Falls	21	0	0	0	0.00%
Durham	23	3	2	1	13.04%
Elgin	16	3	2	1	18.75%
Geraldton	12	0	0	0	0.00%
Halton	22	3	2	1	13.64%
Lakehead	22	3	2	1	13.64%
Lincoln	22	3	2	1	13.64%
Michipicoten	11	1	-1	2	9.09%
Ottawa	30	0	0	0	0.00%
Sault Ste Marie	23	2	1	1	8.70%
Stormont Dundas Glengarry	28	0	0	0	0.00%
Timmins	27	0	0	0	0.00%
York Region	25	3	3	0	12.00%
TOTAL	282				

A negative number indicates that the level of representation generated by the additive method on the basis of constituency population exceeds the required minimum.

Table 5.11: Boards of Education - Population of French Separate School Supporters in the Majority (Bill 75 Only)

BOARD NAME	TOT # TRUSTEES	# EXTRA TRUSTEES REQUIRED BY BILL 75 (NOT IN TOT)		BILL 75 "OVER-REP"	BILL 75 ADD'L AS % TOT
		BILL 75	10% MIN		
Chapleau	13	0	0	0	0.00%
Hearst	9	2	0	2	22.22%
Kapuskasing	17	0	0	0	0.00%
Prescott & Russell	16	0	0	0	0.00%
TOTAL	55				

Table 5.12: RCSS Boards - Population of English Separate School Supporters in the Majority (Bill 75 Only)

BOARD NAME	TOT # TRUSTEES	# EXTRA TRUSTEES REQUIRED BY (NOT IN TOT)		BILL 75 "OVER-REP"	BILL 75 ADD'L AS % TOT
		BILL 75	10% MIN		
Durham	15	2	0	2	13.33%
Elgin	10	3	1	2	30.00%
Geraldton	12	0	0	0	0.00%
Halton	15	2	0	2	13.33%
Lakehead	13	3	1	2	23.08%
Lincoln	14	2	0	2	14.29%
Michipicoten	10	0	0	0	0.00%
Ottawa	24	0	0	0	0.00%
Sault Ste Marie	14	1	-1	2	7.14%
York Region	15	3	2	1	20.00%
TOTAL	142				

A negative number indicates that the level of representation generated by the additive method on the basis of constituency population exceeds the required minimum.

Table 5.13: RCSS Boards - Population of French Separate School Supporters in the Majority (Bill 75 Only)

BOARD NAME	TOT # TRUSTEES	# EXTRA TRUSTEES REQUIRED BY (NOT IN TOT)		BILL 75 "OVER-REP"	BILL 75 ADD'L AS % TOT
		BILL 75	10% MIN		
Chapleau	7	2	0	2	28.57%
Cochrane Iroquois Falls	11	3	0	0	27.27%
Hearst	8	0	0	0	0.00%
Kapuskasing	13	2	-1	2	15.38%
Prescott & Russell	13	3	1	2	23.08%
Stormont Dundas Glengarry	22	2	0	0	9.09%
Timmins	16	0	0	0	0.00%
TOTAL	90				

A negative number indicates that the level of representation generated by the additive method on the basis of constituency population exceeds the required minimum.

Table 5.14: Boards of Education - Population of English Public School Supporters in the Majority (Bill 75 & Bill 30) Assuming RCSS Board Does Not Offer French Secondary Education

		# EXTRA TRUSTEES REQUIRED BY (NOT IN TOT)			
BOARD NAME	TOT # TRUSTEES	BILL 75	10% MIN	BILL 75 "OVER-REP"	BILL 75 ADD'L AS % TOT
Cochrane Iroquois Falls	18	0	0	0	0.00%
Durham	19	3	2	1	15.79%
Elgin	14	3	1	2	21.43%
Geraldton	9	0	0	0	0.00%
Halton	18	3	2	1	16.67%
Lakehead	16	3	2	1	18.75%
Lincoln	18	3	2	1	16.67%
Michipicoten	8	1	-1	2	12.50%
Ottawa	23	0	0	0	0.00%
Sault Ste Marie	15	2	1	1	13.33%
Stormont Dundas Glengarry	22	0	0	0	0.00%
Timmins	23	0	0	0	0.00%
York Region	19	3	2	1	15.79%
TOTAL	222				

A negative number indicates that the level of representaton generated by the additive method on the basis of constituency population exceeds the required minimum.

Table 5.15: Boards of Education - Population of French Separate School Supporters in the Majority (Bill 30 & Bill 75) Assuming RCSS Board Does Not Offer French Secondary Education

		# EXTRA TRUSTEES REQUIRED BY (NOT IN TOT)			
BOARD NAME	TOT # TRUSTEES	BILL 75	10%	BILL 75 "OVER-REP"	BILL 75 ADD'L AS % TOT
Chapleau	12	0	0	0	0.00%
Hearst	9	2	0	2	22.22%
Kapuskasing	15	0	0	0	0.00%
Prescott & Russell	16	0	0	0	0.00%
TOTAL	52				

Table 5.16: Boards of Education - Population of English Public School Supporters in the Majority (Bill 30 & Bill 75) Assuming RCSS Board Does Offer French Secondary Education

BOARD NAME	TOT # TRUSTEES	# EXTRA TRUSTEES REQUIRED BY BILL 75 (NOT IN TOT)	10% MIN	BILL 75 "OVER-REP"	BILL 75 ADD'L AS % TOT
Cochrane Iroquois Falls	10	3	1	2	30.00%
Durham	19	0	0	0	0.00%
Elgin	14	0	0	0	0.00%
Geraldton	6	0	0	0	0.00%
Halton	18	0	0	0	0.00%
Lakehead	16	0	0	0	0.00%
Lincoln	18	0	0	0	0.00%
Michipicoten	6	0	0	0	0.00%
Ottawa	19	2	1	1	10.53%
Sault Ste Marie	14	0	0	0	0.00%
Stormont Dundas Glengarry	14	3	1	2	21.43%
Timmins	12	3	1	2	25.00%
York Region	19	0	0	0	0.00%
TOTAL	185				

Table 5.17: Boards of Education - Population of French Separate School Supporters PREVIOUSLY in the Majority (Bill 30 & Bill 75) Assuming RCSS Board Does Offer French Secondary Education

BOARD NAME	TOT # TRUSTEES	# EXTRA TRUSTEES REQUIRED BY BILL 75 (NOT IN TOT)	10% MIN	BILL 75 "OVER-REP"	BILL 75 ADD'L AS % TOT
Chapleau	6	3	1	2	50.00%
Hearst	6	3	1	2	50.00%
Kapuskasing	6	3	1	2	50.00%
Prescott & Russell	11	3	1	2	27.27%
TOTAL	29				

CONCLUSIONS

At the beginning of this chapter, we cited a number of issues concerning the equitability of Bill 75 with respect to the representation of minority-language interests on school boards. We have attempted to demonstrate a possible alternative method for determining the number of minority-language trustees that would serve a number of objectives. The method (1) would ensure consistency with the procedures that might be adopted for determining representation generally; (2) would ensure that determination of the number of minority-language trustees would accurately reflect the school tax-support group of the minority-language population (including students and others); (3) would establish a minimum level of representation that would not constitute an undue proportion of the total number of trustees to be elected; (4) would ensure a forum for full discussion of minority-language issues; and (5) in accomplishing the purposes listed above, would minimize any distinction between minority- and majority-language trustees by treating them simply as the representatives of another constituency rather than as a special category of elected representatives.

The objective of Bill 75 is to provide governance of minority-language instruction, as well as the general governance of education accomplished by the Education Act. In establishing four constituencies, each of which would be entitled to representation on the same terms, the possibility of individuals choosing to become minority-language electors would be enhanced, and the objectives of Bill 75 (and of the Education Act) would be furthered.

Another aspect of minimizing distinctions between categories of trustees and electors would be the apportionment of all types of trustee positions among municipalities. For some school board jurisdictions, the number of minority-language trustees could be sizeable, both objectively and relative to the number of majority-language trustees. It might, therefore, be appropriate to consider apportioning these trustee positions among the municipalities that make up the school board's jurisdiction. This question will be addressed in the next chapter.

CHAPTER 6

OTHER ISSUES

This study has dealt principally with the basis for determining the number of trustees to be elected to school boards by electorates which may be categorized on the basis of the school system to which they direct their tax support or on the basis of linguistic characteristics. We have examined this determination process under a number of conditions, including proposed changes in the Education Act.

There are other aspects of the process of determining school board trustee representation which merit at least brief discussion as part of this study. The first of these is the question of apportionment of trustee positions among municipalities within a school board jurisdiction; the second studies the implications of recommendations made by the Commission on the Financing of Elementary and Secondary Education in Ontario.

APPORTIONMENT

The apportionment of trustee positions among groups of electors and among municipalities was discussed at some length in Volume 2 of this study. The need for alternatives to the present method, which is based on proportional equalized residential and farm assessment, was identified and several alternatives were simulated.

If the additive method, or some variant of it, were adopted, there would be no need to apportion trustee positions among groups of electors. Each group would be entitled to elect a number of trustees based on its own population. It would still be necessary, however, to distribute the trustee positions accorded to each group of electors among the municipalities within the school board jurisdiction.

In Volume 2, we identified a number of criteria that formed the basis of our assessment of possible alternative methods of apportionment. They were:

(1) Any alternative must be representative both of those whose taxes support education and of those whose needs are served by the school system.

(2) This representation must not only be equitable, but also be perceived to be equitable. The implication of this prerequisite is that it may be necessary to guarantee minimum representation for identifiable minority interests (religious, linguistic, or territorial).

(3) The method should be relatively stable, such that shifts in representation reflect real and persistent changes in the makeup or distribution of those who are being represented.

(4) The method should be practical. It must be based on information that is readily available or can be obtained on a predictable and timely basis. It must involve relatively straightforward calculations to facilitate the determination process and to ensure that the results are both understood and accepted. It should rely on objective criteria and minimize subjective judgement.

(5) The method should have a consistent effect between jurisdictions.

On the basis of these criteria, the 13 methods of apportioning trustee positions simulated in Volume 2 were assessed and several were recommended as being feasible alternatives to proportional equalized residential and farm assessment. The primary recommendation was that the current method be abandoned and that the determination of trustee representation be based on some measure of population.

In addition to the use of population alone, four methods that would modify the effects of population by including factors that would take account of variable density and distance were identified as being feasible alternatives to the use of proportional equalized residential and farm assessment. These methods would recognize that some electoral districts within school board jurisdictions were geographically larger or less densely populated than others and that this might present special difficulties for the trustees elected to represent them. These methods were:

(1) Population with double entitlement to representation given to the populations of those municipalities the density of which is less than 50 per cent of the overall density of the relevant population of the school board jurisdiction. This method would generate additional trustee positions in areas with relatively low density.

(2) Population with double weight given to the populations of those municipalities the density of which is less than 50 per cent of the overall density of the relevant population of the school board jurisdiction. This method would redistribute trustee representation but would not alter the total number of trustees to be elected.

(3) Population given 9/10 weight and Area given 1/10 weight.

(4) Population and the Log (base 10) of the Area given equal weight.

The preceding chapters have examined (1) the way in which the total number of trustees to be elected to a particular school board is determined at the present time; (2) the results that would occur if Bill 30 and Bill 75 were implemented as they are presently drafted; and (3) the effects of employing an alternative method which we have called, for convenience, the additive method. Trustee positions must also be apportioned between city(ies) and county municipalities and among county municipalities for those boards which comprise more than a single municipality.

The various total numbers of trustees reported in the preceding chapters would, once their number had been determined, be apportioned among the municipalities within the school board's jurisdiction. The exception to this rule would be minority-language trustees who, under the terms of Bill 75, are to be elected at large by the individuals who qualify as minority-language electors and who have chosen to elect minority-language trustees rather than "regular" trustees.

In some cases, the number of minority-language trustees is relatively large - equal or nearly equal to the number of "regular" trustees. Where all of the minority-language trustees to be elected are included within the board total (rather than being additional to the board total) they could be apportioned to municipalities or groups of municipalities according to the formula which is used to apportion other trustee positions. Apportioning minority-language representation where possible would minimize the distinction between these trustees and "regular" trustees. Electors might be more inclined to choose to become minority-language electors if they were able to associate the trustee who would represent them with traditional electoral districts and with municipalities. Thus, the objective of providing minority-language governance would be better served by encouraging qualified electors to choose to identify themselves with the process of that governance in choosing to become minority-language electors.

We have simulated for four school boards the results of apportioning among municipalities the trustee positions that were determined by the simulations conducted in the preceding chapters. The four school boards (Brant County, Brant County RCSS, Prescott & Russell, Prescott & Russell RCSS) include two boards of education and two separate school boards. The two Brant boards are English-language-majority boards which would have French-language sections pursuant to Bill 75. The two Prescott & Russell boards are French-majority boards which would have English-language sections pursuant to Bill 75.

We simulated apportionment using the current method (proportional equalized residential and farm assessment), total population (of supporters and their dependants) alone and the four methods recommended in Volume 2 that would modify population to reflect differences in the distances and densities of areas that trustees would represent. We were unable to simulate apportionment of the trustee numbers determined under the simulations conducted for chapter 5 (using the additive method for the four constituencies - English-language public and separate school supporters, French-language public and separate school supporters) because we did not have population data by municipality broken down into these four categories. If the additive method were adopted and were applied as outlined in chapter 5, appropriate enumeration and census categories (for the four constituencies) would have to be employed. The necessary information would then be available to permit apportionment among municipalities for the relevant types of trustees to be elected to particular school boards.

METHODOLOGY

For each of the four school boards, a number of simulations has been carried out:

(a) No Change in the Method of Determining Total Trustee Numbers

These simulations apportion among municipalities (1) the total number of trustees currently elected to the boards (Current Situation); (2) the number of trustees that would be elected by the various groups of electors pursuant to Bill 30 only; (3) pursuant to Bill 75 only; (4) pursuant to Bill 30 & Bill 75 assuming constant enrolment; and (5) pursuant to Bill 30 & Bill 75 assuming that the predominantly Catholic French enrolment would shift to the RCSS system, assuming that the current method of determining the total number of trustees continued subject to the terms of these bills.

(b) Using the Additive Method

These simulations apportion among municipalities (1) the total number of trustees who would currently be elected to the boards (using the additive method); (2) the number of trustees that would be elected by the various groups of electors pursuant to

Bill 30 only; (3) pursuant to Bill 75 only; (4) pursuant to Bill 30 & Bill 75 assuming constant enrolment; and (5) pursuant to Bill 30 & Bill 75 assuming that the predominantly Catholic French-language enrolment would shift to the RCSS system, assuming that the additive method were adopted as the method of determining the total number of trustees to be elected by each group of electors.

Because Bill 30 has no direct effect on the number or distribution of trustees to be elected to RCSS boards, fewer simulations were required for the two RCSS boards.

The results of these simulations are reported in tables to be found in Appendix 6.1.

The methods of apportionment (among muncicipalties) used were: #1 - the current method (proportional equalized residential and farm assessment); #3 - total population (of supporters and dependants); #6 - a combination of population and area (population multiplied by the Log base 10 of the area); #8 - a weighted average of the population (90 per cent) and the proportion that the area of the municipality represented of the total area of the board's jurisdiction (10 per cent); #9 - redistribution of representation to give double weight to municipalities with a density less than 50 per cent of the average density of the board jurisdiction; and #11 - double weight given to municipalities with a density less than 50 per cent of the average density of the board jurisdiction to generate additional trustee positions.

A full description of the rationale for, and operation of, each of the apportionment simulations may be found in Volume 2.

Although we continue to believe that all of the alternative methods recommended in Volume 2 and simulated in this chapter have merit and that all are feasible, we are of the view that #3 (population alone) has the additional merit of being relatively simple. Bill 30 and Bill 75 introduce new complexities to the determination and distribution of school board trustee representation. Any method adopted for determining total trustee numbers or for apportioning the resulting number of trustee positions among municipalities should be as clear, understandable, and simple to calculate as possible.

The results of the simulations of apportionment (Appendix 6.1) illustrate the complexity of the various methods of apportionment identified in Volume 2 as feasible alternatives to the use of proportional equalized residential and farm assessment. It might be advisable to use population alone as the method of apportionment, at least initially, and observe the results over a period of two elections. If the difficulties associated with low density or distance persisted, one of the four modified-population methods might be introduced for some or all school board jurisdictions.

However, the consistent use of population for all aspects of determination and apportionment would reduce complexity of calculation and enhance the clarity and understandibility of the result. While issues of equity among municipalities within a school board jurisdiction are important, we believe that this equity could be achieved without the use of complicated formulas if the recommendation for 10-per-cent rather than 5-per-cent flexibility in constructing the boundaries of electoral districts were adopted, and if the individuals charged with the task of determining representation were given clear guidelines (also recommended in Volume 2) regarding the construction of electoral districts around traditional communities.

RECOMMENDATIONS MADE BY THE COMMISSION ON THE FINANCING OF ELEMENTARY AND SECONDARY EDUCATION IN ONTARIO

Recommendation #1: That a French-language school board be established in the Regional Municipality of Ottawa-Carleton and that other French-language boards be established where circumstances warrant.

There are many factors that would have to be taken into account in evaluating and, possibly, implementing this recommendation. They would certainly include the number of students to be served by each of the resulting school boards; the cost of providing adequate levels of service, facilities, resources; etc.

Implementing this recommendation would have an effect on the size of school boards that would also be a consideration, and the simulations included in this study might provide a shorthand method of assessing the probable feasibility of establishing French-language school boards. Chapter 2 includes simulations of the effects of Bill 75 alone and in combination with Bill 30, assuming constant patterns of enrolment and assuming a shift of French enrolment from the public to the separate system.

The simulations of the effects of the two bills in combination, assuming that enrolment would shift, probably give the best picture of the configuration of linguistic and support-group distribution.

Both Ottawa and Carleton would, if both bills were implemented and enrolment shifted, have boards of education that required the full three additional French-language trustees to form a minority-language section of the boards (table 2.9).

The Ottawa RCSS board (table 2.10) would be evenly split between French- and English-language trustees. It was not possible to simulate the reciprocal effect of shifting enrolment for Carleton because the Carleton Board of Education and the Carleton RCSS Board do not have identical jurisdictions. The enrolment that would shift away from the Carleton Board of Education would not necessarily shift entirely to the Carleton RCSS Board, but might shift to other RCSS boards. The effect of Bill 75 on the Carleton RCSS Board (without considering the effect of shifting enrolment - table 2.5) would be 5 French-language trustees and 11 English-language trustees. These numbers would suggest that a distinct French-language board might be a viable possibility in the Ottawa-Carleton area. The number of French-language trustees on the two RCSS boards (Ottawa 8; Carleton 5) suggests that there is a critical mass that could justify a distinct French-language school system; the number of English-language trustees on the two RCSS boards (Ottawa 8; Carleton 11) suggests that the existence of an English-language RCSS system would not be in jeopardy as a result of establishing a distinct French-language system.

Under these conditions (both bills in force and implemented; enrolment shifted), Prescott & Russell, for example, would have a majority English-language board of education to which three French-language trustees would have to be added to form a minority-language section of the board (table 2.9), and a French-majority RCSS board to which three English-language trustees would have to be added to form a minority-language section of the board (table 2.11). The establishment of a distinct French-language board would seem to be unnecessary (because the RCSS board would effectively be a French-language board) and, if one were established, the viability of an English-language RCSS board would be questionable. It would seem, based on a cursory assessment, more appropriate to find ways of ensuring minority-language instruction within the two existing school boards (with each, perhaps, buying instruction from the other for those students requiring instruction in the respective minority language) than to establish a third board.

Trustee numbers, as simulated in this study, provide only a cursory indication of the feasibility of establishing distinct French-language school boards and systems. A more careful consideration of the level of financial and other resources that would be available and that could be supported on the existing tax base, would be required. The trustee numbers simulated in this study do, however, permit a shorthand assessment of the viability of distinct French-language school boards and systems in terms of political structures.

Recommendation #4: That there be in Windsor-Essex, London-Middlesex, Hamilton-Wentworth, and Ottawa-Carleton one board of education and one RCSS board to serve each respective area.

If this recommendation were adopted, there would be dramatic effects on the total number of trustees to be elected and on the distribution of these positions within the unified school board jurisdictions. Fewer trustees would be elected to represent the combined jurisdictions than are presently elected to represent them individually. Any method of apportionment (assessment or population), with the possible exception of a method that would add trustees to reflect lower density, would result in fewer trustees being elected in the counties than is presently the case.

Hamilton-Wentworth and London-Middlesex are presently combined RCSS jurisdictions. It would be instructive to explore the perceptions of separate school electors in these jurisdictions with respect to how well they feel their interests are represented on these boards. Because they also elect representatives to boards of education that are not combined, it would be possible to compare the perceptions of city and county electors with respect to the two types of boards (combined and uncombined).

While this recommendation raises the possibility of effecting economies of scale and the possibility of achieving tax savings in the provision of education, the advantages that might accrue from achieving economies of scale or from shared resources might be achieved in other ways, such as co-operation between boards. Indeed, combining currently distinct school boards could conceivably result in higher costs if differences in levels of service or availability of resources and facilities (which may be acceptable for distinct and uncombined school boards, but which may be unacceptable within a single combined school board) had to be redressed, or if political wisdom dictated that future improvements and innovations (which might have been implemented only in the populous urban board) had to be provided throughout the combined-board jurisdiction.

The advantages that might accrue from achieving economies of scale or from shared resources must be weighed against the effects combination would have on the perceptions of electors, and the extent to which they both feel enfranchised and exercise their franchise.

If combined boards were created, the additive method would likely minimize real and perceived loss of representation for county municipalities, because representation would be based on population. More trustees would be elected under the additive formula than under the current schedules for determining the total number of trustees. If apportionment were also based on population, the distribution of these trustee positions could be linked directly to the populations of the electoral districts that would be constructed. Thus, although changes would occur, it would be possible to demonstrate that the basis for representation was rational and consistent with democratic principles.

CONCLUSION

There are fundamental problems with the current basis for determining and apportioning trustee numbers, problems that are magnified by the effects of Bill 30 and Bill 75. These bills in themselves represent major changes in the governance and funding of education in the province. It might be most appropriate to implement a rational system for determining school board representation (one compatible with the aims of Bills 30 and 75) and to monitor the effects of this system and the two bills before further major changes are introduced.

The choices made by RCSS boards with respect to secondary education and by both boards of education and RCSS boards with respect to minority-language education, and the choices made by electors with respect to the type of trustees they choose to elect, will provide a better sense of the viability of the school systems that will result from the implementation of Bill 30 and Bill 75. The recommendations of the Commission on the Financing of Elementary and Secondary Education in Ontario discussed in this study might best be considered in the context of a period of greater stability and with the benefit of knowing the effects of the major legislative changes already in progress.

Observation of patterns of trustee representation (either under the present procedures or under the additive method or some other alternative method) will indicate any need for further refinements in methods of apportionment.

CHAPTER 7

SUMMARY OF CONCLUSIONS & RECOMMENDATIONS

In the preceding chapters, we have examined the way in which representation on school boards in Ontario is determined at the present time and the changes that could result from the implementation of Bill 30 (which provides for the full funding of separate school education) and Bill 75 (which provides for minority language governance). We have noted a number of practical problems which arise from the current method and which might arise once Bills 30 and 75 have been enacted.

At the present time, the total number of trustees to be elected to each of the school boards in Ontario is determined by reference to one of several schedules set out in legislation (see table 3.1). This total is then apportioned among public and separate school trustee positions (for boards of education) and among the muncipalities that constitute the school board jurisdiction according to formulas also set out in legislation. The method for carrying out this apportionment is currently based on proportional equalized residential and farm assessment (see Appendix 1.2 for details of the apportionment process).

CONCLUSIONS

Bill 30 provides for RCSS boards to choose to act as secondary school boards. Where an RCSS board so chooses, separate school trustees will no longer be elected to the board of education having the same or part of the same jurisdiction as that RCSS board. The schedules set out in legislation, according to which the total number of trustees to be elected to a school board is determined, are to remain unchanged. The procedure for apportioning trustee positions among public and separate school trustees is to be carried out to calculate the number of trustees to be elected by public school electors, although no separate school trustees would be elected. Although the school board would, in such cases, comprise only public school trustees, the number of public school trustees to be elected would continue to determined as the result of the apportionment calculation.

Bill 75, as part of the provision for minority-language governance, stipulates that there be a French-language section of any school board which offers French-language instruction or which contracts with another board for instruction in the French language of 300 pupils or 10 per cent of the resident pupils of the board, whichever is less. If English is the minority language of instruction, an English-language section of the board would be required, if the board offered English-langage instruction or contracted with another board for instruction in English of 300 pupils or 10 per cent of the resident pupils of the board, whichever is less. The number of minority-language trustees is to be determined on the basis of proportional enrolment. For example, the proportion that French-language enrolment represents of total enrolment is to be applied to the number of trustees to be elected to the board. The resulting number of trustees (which would be included in the total number of trustee positions on the board) would be elected to the French-language section of the board. Because there is to be a minimum of three trustees elected to the minority-language section of the board, however, extra trustee positions might be created and would be added to the board total, if the application of the proportional-enrolment formula did not generate at least three minority-language trustee positions.

In chapter 2, we simulated the patterns of school board trustee representation that would result from the application of the provisions of Bill 30 and Bill 75. We observed that Bill 30 will result in fewer trustees being elected, than at the present time, to boards of education having the same or part of the same jurisdiction as RCSS boards that choose to offer secondary education. The residual size of the school board will not, however, directly reflect the population of public school supporters but rather the combined effects of the schedule (based on total population) and the decisions of the RCSS board.

The decrease in board size (number of trustees) may also present problems in terms of the operation of Bill 75. The smaller the board, the higher the proportion of minority-language enrolment must be to generate three trustees. For a board to which 18 trustees are to be elected, a level of 16 or 17 per cent minority-language enrolment would be sufficient to generate the required minimum number of three trustee positions. For a board to which six trustees are to be elected, the level of minority-language enrolment would have to be 50 per cent to generate the required minimum number. Because the required minimum is three trustees, regardless of the size of the school board (number of trustees), additional trustees would be added to the board if enrolment proportions did not generate at least three minority-language trustee positions.

In the case of one small board (Hearst, table 2.8) the requirement to add trustees to ensure that the minimum number of minority (English)-language trustees was achieved, resulted in there being more minority-language trustees than majority-language trustees.

In addition, we noted that the determination of the number of French-language trustees to be elected to minority-language sections of boards of education and to be included in the board total, did not take account of the denominational support group to which these trustees and their electors belonged. The number of trustees to be apportioned among public and separate school trustees is to be reduced by the number of minority-language trustees to be elected. Because the basis for apportionment of the remaining number of trustees between public and separate school support groups would remain the same, the number of trustees to be elected by each group would be reduced according to the proportion of trustees each is entitled to elect. That is, if two-thirds of the trustees are to be public school trustees, and one-third separate school trustees, and three French-language trustees are to be subtracted from the total number, public school electors will elect two fewer trustees and separate school trustees will elect one less trustee. Our assessment of the pattern of French-language enrolment (table 2.1) indicated a higher level of French-language enrolment at the secondary level, and we concluded that this pattern reflected the transfer of French-language students from the RCSS system at the secondary level. Thus, although the majority of French-language pupils and, in all probability, the majority of those who would become French-language electors, are separate school suppporters, there would be a greater impact on the number of public school trustees to be elected than on the number of separate school trustees to be elected. One of the unintended consequences of Bill 75, therefore, would be to disproportionately reduce the representation of public school supporters and effectively increase the representation of separate school supporters on boards of education.

We simulated also the patterns of representation that would result if RCSS boards which offer instruction in the minority language were to choose to extend their programs of instruction to the secondary level and to offer minority-language instruction at that level. We assumed that the higher level of French-language enrolment at the secondary level would shift back to the RCSS system. Under these circumstances, any French-language trustees included in the total to be elected to boards of education could be presumed to be public school supporters. Our simulations (table 2.9) of this eventuality indicated that only one board (Niagara South) would have a

French-language trustee included in the board total. For all other boards for which a French-language section of the board would be required, three trustees would have to be added to the total number to form the French-language section.

In chapter 3, we looked at the current basis for determining the total number of trustees to be elected to school boards in Ontario. We concluded that the present method is inconsistent in the way in which it relates levels of population to the number of trustees to be elected to a given board. Tables 3.2 and 3.3 illustrated the variance in the ratio of population to number of trustees between boards with the same number of trustees and between boards of education and RCSS boards.

We concluded that there was a need for a method of determining the total number of trustees to be elected to school boards which would have a consistent effect among boards of different types: smaller and larger; urban, county, and combined boards; and, in anticipation of Bill 30 and Bill 75, boards of education having only public school trustees, boards of education having both public and separate school trustees, and separate school boards, boards with and without minority-language trustees.

An alternative method, referred to as the "additive method", was outlined and further simulations were carried out to illustrate the effects it would have on patterns of representation. Simulations reported in chapter 4 illustrate the application of the "additive method" to the determination of the total number of trustees to be elected by public and separate school electors, but proportional enrolment was used as the basis of calculating the number of minority-language trustees to be elected.

In chapter 5, we showed how the "additive" method could also be used to calculate the number of minority-language trustees to be elected.

The question of apportioning trustee positions among municipalities was discussed in chapter 6. In light of the complexities that will result from the implementation of Bill 30 and Bill 75, the authors concluded that it would be preferable to use the population of supporters and their dependants (total population) as the basis for apportionment. While the other methods identified in Volume 2 would also be feasible, they were more complex and would require additional calculations.

RECOMMENDATIONS

Volume 2 Recommendations

A number of recommendations was made in Volume 2 which provides a general and procedural context for the other, more mechanical recommendations that arise from this study. These recommendations are:

2.1 That reapportionment be carried out in the calendar year preceding an election year in order to permit adequate time for appeals and preparation for an election.

2.2 That reapportionment be the joint responsibility of the Director of Education of the given school system in the area and the clerk of the county, region, or largest municipality in the jurisdiction, who shall provide to the respective school board for its consideration and decision, three alternatives for reapportionment of trustee representation, by December 31st of the calendar year preceding an election.

2.3 That guidelines be prepared by the Ministry of Education to assist directors and clerks in the task of reapportioning trustee positions and that workshops be held to inform personnel on all aspects of apportionment objectives and procedures.

2.4 That electoral districts include contiguous municipalities, or parts thereof, in a manner that represents communities in the minds of electors.

2.5 That, in order to foster stability of representation and identification, boundaries of boards of education and Roman Catholic separate school boards be coterminous wherever possible.

2.6 That, where due to population imbalance, minority groups, i.e., Anglophones, Francophones, and Native Canadians, would lack an opportunity to have their interests effectively represented at board meetings, the "add on" principle be employed to ensure a minority-group voice in deliberations.

2.7 That a single representative be accorded to a minority group, i.e., Anglophones, Francophones, and Native Canadians, under recommendation 2.6, and that further representation be in keeping with allocations based on formulas normally used for apportionment.

2.8 That the methodology used for choosing a trustee to represent Native Canadians continue to be decided by Bands in the school district.

2.9 That, in order to provide flexibility in the construction of electoral districts, variances up to 10 per cent in the values of the criterion used for determining representation be permitted among districts within jurisdictions.

2.10 That, where traditionally a community or municipality has been represented by a trustee, every attempt should be made to provide that unit with representation, either (a) through the allocation of a position, even where numbers fail to justify a full trustee, or (b) the creation of an electoral district identified with the community by the combining of areas centred on that community.

2.11 That, where possible, the concept of "community of interest" be fostered by defining compact, contiguous wards for which trustees are elected.

2.12 That, where the "communities of interest" are, for the most part, centred in school catchment areas, the electoral districts be structured to encompass those areas.

2.13 That it be acknowledged that the fashioning of electoral districts to recognize "communities of interest" may require the breaching of municipal boundaries.

2.14 That elections be held within electoral districts for which a maximum of two trustees may be elected.

Specific recommendations were also made in Volume 2 with respect to the apportionment of trustee positions between groups of electors and among municipalities:

4.1 That equalized residential and farm assessment be discarded as the basis for apportioning trustee representation for school boards in the Province of Ontario.

4.2 That the determination of trustee representation be based on some measure of population.

4.3 That population data, appropriate to the basis established for the determination of trustee representation, be collected in such a manner and at such a time as to permit it to be used for the purposes of apportionment.

4.4 That the method adopted to apportion trustee representation take account of problems associated with relatively low density and/or representation of large numbers of municipalities.

Volume 3 Recommendations

The analyses conducted for this third volume and the conclusions reached give rise to additional recommendations.

While it would be feasible to base apportionment of trustee positions on the population of electors, it would be more conventional to use the total population (of supporters and their dependants). We would therefore recommend:

7.1 That apportionment of trustee positions be based upon total population of supporters and dependants.

We have noted that, for some school board jurisdictions, there are variances in population density and that there may be problems associated with the size of electoral districts that trustees represent. These issues are important and need to be addressed. In view of the complexities that are involved in the determination process, especially with the introduction of Bill 30 and Bill 75, we would not recommend adopting a formula approach, however. Rather, we would recommend:

7.2 That the individuals charged with the task of determining apportionment be enjoined to use the variance of 10 per cent in the values of the criterion for apportioning representation (2.9) to: (a) create electoral districts with a traditional or community focus, and (b) to compensate for low density or extreme distances that might otherwise characterize some electoral districts.

It may prove that there are special problems associated with some jurisdictions, however, and that additional measures may be required to address them. We would therefore recommend:

7.3 That the results of relying upon recommendation 7.2 be monitored to determine if there is a need for modifications to the apportionment method.

The objective of providing governance of instruction in minority languages (generally the French language, but, for some board jurisdictions, the English language) is an important one. Because individuals may choose to become minority-language electors but are not required to do so, it will be essential to encourage eligible electors to make the choice by minimizing differences between minority-language trustees and "regular" trustees. We have concluded that voter identification with traditional or community electoral districts is an important factor. We would therefore recommend:

7.4 That minority-language-trustee positions be apportioned among municipalities in the same manner as other trustee positions are apportioned.

We observed that the current basis for determining the total number of trustees to be elected to school boards produces inconsistent ratios of population per trustee. This is because the total number of trustees is determined on the basis of total population rather than upon the population of the relevant group of supporters and dependants. The effects of Bill 30 and Bill 75 on trustee numbers will produce other anomalies in patterns of representation. We concluded that there was a need for a method of determining the total number of trustees to be elected to school boards that would relate trustee numbers to the populations of the groups to be represented on each school board. We would therefore recommend:

7.5 That the following method be employed to determine the number of trustees to be elected by public and separate school electors:

(1) the formula outlined below be applied to the group with a majority of population:

Population	Ratio	Maximum Number
less than 4 500	1/750	6 (min. board size)
4 500 - 9 499	6 plus 1/1 000	11
9 500 -99 499	11 plus 1/15 000	17
99 500 and more	17 plus 1/75 000	--

(2) the resulting number of trustees be divided into the population of the majority group to determine the ratio of representation; and

(3) the ratio of representation be divided into the population of minority group(s) to determine the number of trustees to be elected by minority group(s); and

(4) the total number of trustees to be elected to the board be the sum of the number to be elected by each constituent group to be represented on the board.

We have noted the importance of minimizing differences between minority-language and "regular" trustees. In order to treat minority-language trustees and their electors in the same way other groups of trustees and electors are treated, we would recommend:

7.6 That the method outlined above be applied also to the determination of the number of minority-language trustees to be elected.

Adoption of the method outlined above for the determination of the total number of trustees to be elected to school boards will require that the appropriate data are available for calculating that number for the four categories of population. We would therefore recommend:

7.7 That population (total population of supporters and dependants) be enumerated in four categories: (1) public school supporters entitled to and required/choosing to vote for English-language trustees; (2) public school supporters entitled to and required/choosing to vote for French-language trustees; (3) separate school supporters entitled to and required/choosing to vote for English-language trustees; and (4) separate school supporters entitled to and required/choosing to vote for French-language trustees.

We observed that the minimum number of minority-language trustees required by Bill 75 (three) was too rigid and, for some boards, too high. On all non-exclusive matters, minority-language trustees would have the same rights and responsibilities as other trustees on the board. Yet, to the extent that these trustees were added to the board because the level of minority-language population (or enrolment) was too low to generate representation according to the specified formula, these trustees, particularly on smaller boards, would overrepresent their constituents. We concluded that there was a need for a more flexible minimum that would reflect the basic size (number of trustees) of each school board. We would therefore recommend:

7.8 That the minimum number of minority-language trustees to be elected to school boards for which a minority-language section is required be one trustee or a number equal to 10 per cent of the trustees to be elected on the basis of the method proposed above, rounded up if the fraction is 0.5 or greater (whichever is greater).

At the same time, we recognized that the minority-language section of the board was charged with exclusive responsibility for matters related to the governance of minority-language instruction and that it would be important to ensure full discussion of these matters. The minimum number of minority-language trustees as determined pursuant to recommendation 7.8 might not provide an adequate forum for discussion and decision making. We would therefore recommend:

7.9 That where the minimum number of minority-language trustees elected to a school board pursuant to recommendation 7.8 above is less than three, a French Language or English Language Advisory Committee be established to provide a forum for deliberation and decision with respect to those matters which are the purview of the minority-language section of the board; and that minority-language trustees elected to the board be members of the Advisory Committee; and

that the decisions of the Advisory Committee on issues within the exclusive jurisdiction of the minority-language section of the board be conveyed to the board as decisions of the minority-language section of the board; and

that minority-language trustees have the same rights and responsibilities as other board members on non-exclusive issues.

It is possible that a board of education could represent four categories of population - French and English public school supporters and French and English separate school supporters. We observed, however, that where French was the language of the minority, the level of French public supporters was low, and that where English was the language of the minority, the level of English separate school supporters was low. We concluded that it would be appropriate for minority-language electors to elect a single group of trustees to boards of education. We would therefore recommend:

7.10 That entitlement to minority-language trustees on a board of education be determined for each tax-support group but that, where both public and separate minority-language groups would be represented on a board of education, the two groups elect a single group of trustees.

If the additive method were used as the basis for determining minority-language representation, it would be necessary to provide for governance of minority-language instruction with respect to children of separate school supporters attending secondary schools operated by boards of education where the RCSS board had opted to offer secondary education but only in the language of the majority. Although this instruction might be treated as a purchase of service by one board from another, governed in effect by the minority-language section of the RCSS board, it would seem more consistent with the provisions of the Constitution to provide for direct governance through representation on boards of education for minority-language separate school supporters if the coterminous RCSS board opted to offer secondary education only in the language of the majority. Minority-language electors of both public and separate support groups would, of course, elect a single group of minority-language trustees. But the minority-language separate support population would be included in the population used for the calculation and the minority-language separate electorate would be eligible to vote for the trustees determined by the calculation.

It would be necessary, therefore, for Bill 30 to distinguish between acting as a secondary school board in the language of the majority and acting as a secondary school board in the language of the minority. The provision for separate school trustees not to be elected to boards of education where the RCSS board had chosen to become a secondary school board would have to specify for each language of instruction individually. We would therefore recommend:

7.11 That, where an RCSS board chooses to act as a secondary school board in respect of instruction in the language of the majority but not to provide secondary instruction in the language of the minority, minority-language separate school electors would continue to elect trustees to the board of education having the same or part of the same jurisdiction as the RCSS board in question.

Finally, because the determination process is complex and the changes we have recommended are comprehensive, it will be essential to ensure that the process is fully understood and accepted. The changes recommended have a logical and rational foundation, and it will be possible to demonstrate that the number of trustees to be elected by each category of elector is directly related to the total population of each group. We would recommend:

7.12 That the Ministry ensure that any changes in the procedures for determining school board trustee representation are fully and clearly explained to the public and to those who will be involved in the determination process.

The recommendations set out above are consistent with democratic principles of representation. The population of the various electorates would be clearly linked to the number of trustees whom they would elect. Representation of minority groups would be ensured on a basis that is consistent with the basis used to determine representation for majority groups. The use of the proposed method for minority-language representation would minimize any distinction between types of trustees and would contribute to the objective of minority-language governance. At the same time, no group would be represented at the expense of any other group. The integrated method proposed above and illustrated in this study would ensure that representation was not only equitable but perceived to be so. Finally, the use of a single criterion (population) for all aspects of determination and apportionment will ensure that the various steps in the procedure are consistent with and support each other.

BIOGRAPHIES OF CONTRIBUTORS

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APPENDIX 1-1

VOLUME II RECOMMENDATIONS

2.1 That reapportionment be carried out in the calendar year preceding an election year in order to permit adequate time for appeals and preparation for an election.

2.2 That reapportionment be the joint responsibility of the Director of Education of the given school system in the area and the clerk of the county, region, or largest municipality in the jurisdiction, who shall provide to the respective school board for its consideration and decision, three alternatives for reapportionment of trustee representation, by December 31st of the calendar year preceding an election.

2.3 That guidelines be prepared by the Ministry of Education to assist directors and clerks in the task of reapportioning trustee positions and that workshops be held to inform personnel on all aspects of apportionment objectives and procedures.

2.4 That electoral districts include contiguous municipalities, or parts thereof, in a manner that represents communities in the minds of electors.

2.5 That, in order to foster stability of representation and identification, boundaries of boards of education and Roman Catholic separate school boards be coterminous wherever possible.

2.6 That, where due to population imbalance, minority groups, i.e., Anglophones, Francophones, and Native Canadians, would lack an opportunity to have their interests effectively represented at board meetings, the "add on" principle be employed to ensure a minority-group voice in deliberations.

2.7 That a single representative be accorded to a minority group, i.e., Anglophones, Francophones, and Native Canadians, under recommendation 2.6, and that further representation be in keeping with allocations based on formulas normally used for apportionment.

2.8 That the methodology used for choosing a trustee to represent Native Canadians continue to be decided by Bands in the school district.

2.9 That, in order to provide flexibility in the construction of electoral districts, variances up to 10 per cent in the values of the criterion used for determining representation be permitted among districts within jurisdictions.

2.10 That, where traditionally a community or municipality has been represented by a trustee, every attempt should be made to provide that unit with representation, either (a) through the allocation of a position, even where numbers fail to justify a full trustee, or (b) the creation of an electoral district identified with the community by the combining of areas centred on that community.

2.11 That, where possible, the concept of "community of interest" be fostered by defining compact, contiguous wards for which trustees are elected.

2.12 That, where the "communities of interest" are, for the most part, centred in school catchment areas, the electoral districts be structured to encompass those areas.

2.13 That it be acknowledged that the fashioning of electoral districts to recognize "communities of interest" may require the breaching of municipal boundaries.

2.14 That elections be held within electoral districts for which a maximum of two trustees may be elected.

4.1 That equalized residential and farm assessment be discarded as the basis for apportioning trustee representation for school boards in the Province of Ontario.

4.2 That the determination of trustee representation be based on some measure of population.

4.3 That population data, appropriate to the basis established for the determination of trustee representation, be collected in such a manner and at such a time as to permit it to be used for the purposes of apportionment.

4.4 That the method adopted to apportion trustee representation take account of problems associated with relatively low density and/or representation of large numbers of municipalities.

APPENDIX 1-2

DETAILS OF TRUSTEE APPORTIONMENT

A. DIVISIONAL BOARDS

1. Elections in Defined City Boards:

There are three ways in which public school trustees can be elected in defined cities - one by general vote and two ward-system options:

a. General Vote of Public School Electors

The number of members determined by the population of the municipality is as follows:

Population	Number of Members	
Less than 10 000	6	
10 000 - 49 999	8	
50 000 - 99 999	10	
100 000 or more	12	(section 57(1))

b. Ward System with Trustees Elected by Ward Electors

(i) Two trustees may be elected by and for each ward (section 58(1)). Each voter has one vote.

(ii) One trustee may be elected by and for each ward where the city is divided into five or more wards (section 58(2)).

Separate school electors elect members to sit on the public school board according to the following formula:

$$\text{MEMBERS ELECTED BY SEPARATE SCHOOL ELECTORS} =$$

$$\begin{array}{l} \text{NUMBER OF MEMBERS} \\ \text{TO BE ELECTED BY} \\ \text{PUBLIC SCHOOL} \\ \text{SUPPORTERS} \end{array} \times \frac{\begin{array}{l} \text{RESIDENTIAL \& FARM ASSESSMENT OF THE} \\ \text{PROPERTY RATEABLE FOR SEPARATE SCHOOL} \\ \text{PURPOSES IN THE DEFINED CITY} \end{array}}{\begin{array}{l} \text{RESIDENTIAL \& FARM ASSESSMENT OF THE} \\ \text{PROPERTY RATEABLE FOR PUBLIC SCHOOL} \\ \text{PURPOSES IN THE DEFINED CITY} \end{array}} \qquad [1]$$

A minimum of two members (section 57(3)) must be elected by separate school supporters either by a general vote or by areas (similar to a ward system)(section 59(23)).

In defined cities, the board of education has the right to determine which options to choose for electing members. In order to change the system of election of members elected by public school electors, the board of education must pass a resolution by majority vote of members elected by public school electors and give notice of this change to the city clerk (section 58(3)). However, the previous method of election must have been in place for at least two regular terms (section 58(5)). In order to have the board members elected by separate school electors, elected by areas, the board must make a request to the municipal council to pass a by-law dividing the municipality into two or more areas for such purposes (section 59(23)).

2. Elections in Boards other than Defined City Boards:

The approach to electing trustees to these boards is to allocate the number of board members on the basis of equalized residential and farm assessment of the constituent subgroups - first by separating public and separate school support, then by apportioning representation to the cities, and then on the basis of distribution of equalized residential and farm assessment in the remainder of the area of the board's jurisdiction.

a. Determining the number of members to be elected The total number of members elected to the board is determined by the total population of the municipalities in the area (territories without municipalities that are deemed district municipalities are excluded from the population count). Smaller boards (territorial districts where there are fewer than four municipalities) are distinguished from larger boards for determining the number of members. The number of members to be elected is determined by population categories as follows:

Population		Number of Members	
Smaller Boards:	Less than 3 500	5	
	3 500 - 4 999	8	
	5 000 - 10 000	10	
Larger Boards:	Less than 50 000	14	
	50 000 - 99 999	16	
	100 000 - 149 999	18	
	150 000 or more	20	(section 59(2))

b. Number of members elected by Public and Separate School Supporters Public school supporters elect the number of members to sit on the board according to the following formula:

NUMBER OF MEMBERS TO BE ELECTED BY PUBLIC SCHOOL SUPPORTERS=

$$\text{TOTAL NUMBER OF MEMBERS ELECTED TO THE BOARD} \times \frac{\text{EQUALIZED RESIDENTIAL AND FARM ASSESSMENT OF THE PROPERTY RATEABLE FOR PUBLIC SCHOOL PURPOSES}}{\text{EQUALIZED RESIDENTIAL AND FARM ASSESSMENT OF ALL THE RATEABLE PROPERTY IN THE SCHOOL DIVISION}}$$

[2]

A minimum of four members must be elected by public school electors in boards of education with fewer than 14 trustees and a minimum of six members must be elected by public school electors where the board is to consist of 14 or more trustees (section 59(4)).

The separate school supporters elect the number of members according to the formula:

NUMBER OF MEMBERS TO BE ELECTED BY SEPARATE SCHOOL SUPPORTERS =

$$\begin{array}{l}\text{TOTAL NUMBER OF}\\ \text{MEMBERS ELECTED}\\ \text{TO THE BOARD}\end{array} \times \frac{\begin{array}{l}\text{EQUALIZED RESIDENTIAL AND FARM}\\ \text{ASSESSMENT OF THE PROPERTY RATEABLE}\\ \text{FOR SEPARATE SCHOOL PURPOSES}\end{array}}{\begin{array}{l}\text{EQUALIZED RESIDENTIAL AND FARM}\\ \text{ASSESSMENT OF ALL THE RATEABLE}\\ \text{PROPERTY IN THE SCHOOL DIVISION}\end{array}} \qquad [3]$$

A minimum of one member must be elected by separate school supporters (section 59(5)).

c. Number of City and County and District Members Elected by Public School Supporters

To determine the number of members elected by each of the cities, the following formula is applied:

NUMBER OF MEMBERS TO BE ELECTED BY EACH CITY =

$$\begin{array}{l}\text{TOTAL NUMBER OF}\\ \text{MEMBERS ELECTED}\\ \text{BY PUBLIC SCHOOL}\\ \text{SUPPORTERS}\end{array} \times \frac{\begin{array}{l}\text{EQUALIZED RESIDENTIAL AND FARM}\\ \text{ASSESSMENT OF THE PROPERTY RATEABLE}\\ \text{FOR PUBLIC SCHOOL PURPOSES IN THE}\\ \text{CITY}\end{array}}{\begin{array}{l}\text{EQUALIZED RESIDENTIAL AND FARM}\\ \text{ASSESSMENT OF ALL THE PROPERTY FOR}\\ \text{PUBLIC SCHOOL PURPOSES IN THE SCHOOL}\\ \text{DIVISION}\end{array}} \qquad [4]$$

If a city does not merit representation under formula [4], it is treated as a county or district municipality (section 59(8)).

To determine the number of members elected by the county or district municipalities, the following method is applied:

NUMBER OF MEMBERS TO BE ELECTED BY THE COUNTY OR THE DISTRICT MUNICIPALITIES =

$$\begin{array}{l}\text{TOTAL NUMBER OF MEMBERS}\\ \text{TO BE ELECTED BY PUBLIC}\\ \text{SCHOOL SUPPORTERS}\end{array} - \begin{array}{l}\text{SUM TOTAL OF THE NUMBER OF}\\ \text{MEMBERS TO BE ELECTED BY THE}\\ \text{CITIES}\end{array} \qquad [5]$$

A minimum of one county or district municipality member must be elected and if there are fewer than four area municipalities in the divisional board of a school division that comprises

a regional municipality, a minimum of two rural members must be elected from the area municipality (section 59(6)).

With appropriate modifications to the formula by substituting separate school supporters for public school electors, the same approach is used in determining the number of members representing separate school electors. This method is applied to each city, and county, or district municipality when more than one representative is to be elected in a school division which includes one or more counties or district municipalities (section 59(26)).

The municipalities to be represented by members elected by trustees for public school electors in county municipalities or district municipalities as determined in accordance with formula [5] are determined by the individuals indicated in table 1.2.

Table 1.2:

Types of School Divisions and Parties Responsible for School Board Determinations

FOR SCHOOL DIVISIONS CONSISTING OF	PERSON TO MAKE DETERMINATIONS FOR (1) TOTAL BOARD SIZE, (2) PUBLIC/SEPARATE DIVISION, (3) CITY/NON-CITY MUNICIPALITY DIVISION	RESPONSIBILITY TO DETERMINE COUNTY MUNICIPALITY OR DISTRICT REPRESENTATION
1 A county	Clerk of the county (59(20)(a))	Council of the county (59(9)(a))
2 (a) Regional municipality or	Clerk of the regional municipality (59(20)(b))	Clerks of the 3 county municipalities with the largest equalized residential & farm assessment for public school purposes (59(9)(b))
(b) A county and a part of a regional municipality	Clerk of the county (59(20)(a))	
3 District municipalities	Clerk of the organized district municipality with the greatest equalized residential and farm assessment for public school purposes	Clerks of the 3 organized district municipalities with the largest equalized residential and farm assessment for public

FOR SCHOOL DIVISIONS CONSISTING OF	PERSON TO MAKE DETERMINATIONS FOR (1) TOTAL BOARD SIZE, (2) PUBLIC/SEPARATE DIVISION, (3) CITY/NON-CITY MUNICIPALITY DIVISION	RESPONSIBILITY TO DETERMINE COUNTY MUNICIPALITY OR DISTRICT REPRESENTATION
	or, where there is no organized district municipality in the school division, the clerk of the city with the greatest residential and farm assessment for public school purposes. (59(20)(c))	school purposes (If less than 3, the clerks of all such municipalities) and the clerk of each town or village where there is a secondary school (59(9)(c))

The member(s) elected in county or district municipalities may not be elected at large (e.g., by combining all the county or district municipalities to elect two or more members) but must be elected from specified and defined areas. The members are to be apportioned as nearly as practicable in the following ratio:

$$\frac{\text{EQUALIZED RESIDENTIAL AND FARM ASSESSMENT FOR PUBLIC SCHOOL PURPOSES OF THE MUNICIPALITY(IES)}}{\text{THE TOTAL EQUALIZED RESIDENTIAL AND FARM ASSESSMENT FOR PUBLIC SCHOOL PURPOSES IN ALL THE COUNTY OR DISTRICT MUNICIPALITIES IN THE SCHOOL DIVISION}} \qquad [6]$$

When municipalities are combined, municipalities that adjoin are to be combined if practicable. The apportionment to combined municipalities is to be done as nearly as is practicable in the ratio of the equalized residential and farm assessment for property rateable for public school purposes of the combined area to the total equalized residential and farm assessment for property rateable for public school purposes in all the county or district municipalities in the school division (section 59(16)).

Where the number of trustees to be elected by public school electors to a municipality or a combination of municipalities, when expressed as a percentage of the total number of trustees to be elected by public school electors to all the county or district municipalities within the

school division, differs by more than five percentage points from the percentage that the equalized residential and farm assessment of the property rateable for public school purposes in the municipality or combination of municipalities is of the total equalized residential and farm assessment of the property rateable for public school purposes in all the county and district municipalities within the school division, the council of the municipality, or the council of any one of the combined municipalities, may appeal the determination to a judge. The judge's decision on the appeal is final (section 59(8)).

The allocation of the number of members to be elected by separate school electors from county and district municipalities (section 59(27)) and the process of combining, of allocating, and of adjusting that apply in the case of members to be elected by public school electors (section 59(18)) are determined in the same manner using appropriate modifications relative to school support.

If only one member is to be elected by separate school electors in a school division, or in a county, or district municipality, the member is elected by a general vote of the separate school supporters of the school division or municipality (section 59(29)).

Elections of members of a divisional board are conducted by the same officers and in the same manner as elections of members of the council of a municipality (section 59(32)).

B. BOARDS OF EDUCATION

A board of education, other than a divisional board of education, can be established in a secondary school district that is not a school division to be a secondary school board and a public school board for the district (section 60(1)(29)).

The trustees are elected at large on the same population-trustee ratio as in defined city boards:

Population	Number of Members	
Less than 10 000	6	
10 000 - 49 999	8	
50 000 - 99 999	10	
100 000 or more	12	(section 57(1))

The number of members elected by the separate school supporters is also the same; however, the minimums established are not fewer than two members, if the population is more than 50 000, and one member, if the population is less than 50 000 (section 61).

C. DISTRICT SCHOOL AREA BOARDS

District school area boards are public school boards that are established in parts of the territorial districts that are not included in a school division or designated as a school

section on tax exempt lands (section 62). As of January 1, 1985, there were 27 district school area boards in Ontario (Directory of School Boards, 1985, p. 17). A district school area board normally consists of three members (section 64(2)), but five members shall be elected if, in 1975, there were five members on the board of the school section which became a school district area (section 64(3)) or may be elected if a resolution is approved at a meeting of the public school electors of the district. This increase from three to five members by resolution does not apply to improvement districts (section 64(4)).

District school area boards may be elected either at a meeting of public school electors held on the second Monday of November in an election year (section 65) or in the same manner as for divisional boards except that all members must be elected at large (section 66). In order to choose the second option, the district shcool area board must pass a resolution which must be approved at a meeting of public school electors.

Where two or more district school areas are combined into one district school area by regulation by the Lieutenant-Governor in Council, regulations can also be made specifying the number of members to be elected, which areas they should represent, and when, where, and how they are to be elected (section 66(a)).

D. COUNTY AND DISTRICT COMBINED ROMAN CATHOLIC SEPARATE SCHOOL BOARDS

The number of trustees to be elected to county or district combined separate school boards is determined on the basis of total population in the area that comprises the county or district combined separate school zone. The determination is in accordance with the following table.

Population	Number of Members	
Less than 25 000	8	
25 000 - 44 999	10	
45 000 - 99 999	12	
100 000 - 199 999	14	
200 000 or more	16	(section 113(2))

The following formula based on equalized residential and farm assessment for separate school purposes is used to determine the number of representatives of each city.

$$\text{NUMBER OF MEMBERS TO BE ELECTED BY EACH CITY} = \text{TOTAL NUMBER OF TRUSTEES TO BE ELECTED} \times \frac{\text{EQUALIZED RESIDENTIAL AND FARM ASSESSMENT OF THE PROPERTY RATEABLE FOR SEPARATE SCHOOL PURPOSES IN THE CITY}}{\text{EQUALIZED RESIDENTIAL AND FARM ASSESSMENT OF ALL PROPERTY RATEABLE FOR SEPARATE SCHOOL PURPOSES IN THE COUNTY OR DISTRICT COMBINED SEPARATE SCHOOL ZONE}} \quad [7]$$

To determine the number of trustees for county or district municipalities, the total number of trustees to be elected from the city in formula [7] above is subtracted from the total number of trustees for the combined or separate school boards. A minimum of one trustee must be apportioned under this section (section 113(4)(b)) to the county and district municipalities.

The person responsible for making the determination of the number of members on the board and the division between the city and the county or district municipalities is:

(a) the clerk of the county municipality;
(b) the clerk of the organized district municipality; or
(c) the clerk of the city having the greatest equalized residential and farm assessment for separate school purposes in an area where there is no organized district municipality in the district combined separate school zone. (section 113(5))

The same principles used for such determinations for the divisional boards are used in respect of the county and district combined Roman Catholic separate school boards using equalized residential and farm assessment for separate school purposes:

1. A city which does not merit a representative is treated as a county or district municipality (section 113(7)).

2. The three clerks of the organized district municipalities with the largest equalized residential and farm assessment for separate school purposes in the county or district combined zone (if fewer than three, then all clerks of such municipalities) determine the county or district municipalities to be represented by the trustees. Except where only one member is to be elected from the county or district municipalities, the grouping of such municipalities must ensure that there is no election by general vote in all of the municipalities (section 113(8)).

3. Where the determination made by the clerks of the county or district municipalities under section 113(8), allots to a municipality or a combination of municipalities a percentage of the total number of trustees to be elected by the separate school electors of all the county or district municipalities in the combined separate school zone, that differs by more than five percentage points from the percentage that the equalized residential and farm assessment of the property rateable for separate school purposes in the part of such zone in the municipality or combination of municipalities is of the total equalized residential and farm assessment of the property rateable for separate school purposes in the whole of such zone, the council of the municipality or the council of any municipality of the combined municipalities may appeal the determination to a judge (section 113(14)).

4. Trustees to be elected in municipalities are to be elected by a general vote, unless there are two or more trustees to be elected, in which case the board can request the council of

the municipality to pass a by-law dividing the municipality into two or more areas (section 113(19)).

Special provisions are made for the Ottawa-Carleton Area. In section 116, the Ottawa Roman Catholic Separate School Board is established to consist of the cities of Vanier and Ottawa and the village of Rockcliffe Park, and is to function as a county combined separate school board. Sixteen trustees are to be elected, with Ottawa and Rockcliffe Park combined as one unit.

$$\text{NUMBER OF MEMBERS TO BE ELECTED BY OTTAWA AND ROCKCLIFFE PARK} = 16 \times \frac{\text{EQUALIZED RESIDENTIAL AND FARM ASSESSMENT OF THE PROPERTY RATEABLE FOR SEPARATE SCHOOL PURPOSES IN OTTAWA AND ROCKCLIFFE PARK}}{\text{EQUALIZED RESIDENTIAL AND FARM ASSESSMENT OF ALL THE PROPERTY RATEABLE FOR SEPARATE SCHOOL PURPOSES IN THE COMBINED SEPARATE SCHOOL ZONE}} \quad [8]$$

The number of members to be elected in Vanier is

$$16 - \text{THE NUMBER OF TRUSTEES TO BE ELECTED IN OTTAWA AND IN ROCKCLIFFE PARK} \quad [9]$$

At least one member must be elected in Vanier (section 116(4)). The trustees are to be elected by a general vote within each of the two areas.

The separate school zones in the remainder of the municipalities in the area comprising the Regional Municipality of Ottawa-Carleton are combined in a county combined separate school zone the board for which is called The Carleton Roman Catholic Separate School Board. Trustees elected to this board are determined in accordance with the provisions relative to other county or district combined Roman Catholic separate school boards (section 117).

The City of Windsor is not included in the County of Essex for county combined separate school board purposes (section 118), meaning that there is a separate school board for the city alone.

E. ROMAN CATHOLIC SEPARATE SCHOOL BOARDS

1. Urban Roman Catholic Separate School Boards:

Urban separate school boards may be formed in areas not within a county or district combined Roman Catholic separate school zone.

The number of trustees to be elected to an urban separate school board is based on the population of the community:

Population	Number of Members
Less than 10 000	6
10 000 - 49 999	8
50 000 - 99 999	10
100 000 or more	12 (section 90(2))

Trustees are elected by a general vote of separate school supporters (section 90(1)) or in a municipality which is divided into wards - two trustees per ward, or if more than five wards, one trustee for each (section 91). The method of election, having been in place for two terms, may be changed if the resolution by the board for such a change has been voted in the affirmative by the separate school electors of the urban municipality (section 92(1)(3)). Every person eligible to be a separate school elector in an urban municipality may vote at the election (section 93(2)) and supporters of the separate school in an urban municipality who live outside that municipality can vote in the closest ward or polling station to their residence in which there is a separate school (section 96).

2. Rural Roman Catholic Separate School Boards:

Rural separate school boards may be formed in the territorial districts that are not part of a district combined Roman Catholic separate school zone.

Boards for rural separate school zones consist of three elected trustees (section 97(1)) and the elections are held at a meeting of the separate school supporters on the second Monday of an election year at a time and place selected by the board (section 100(2)). A poll may be demanded by two supporters of the school at the meetings for election of trustees (section 100(7)), and each voter is entitled to as many votes as there are trustees to be elected but may not vote more than once for any one candidate (section 100(10(a)).

Where the centre of a rural separate school board zone is in a municipality, the board may pass a resolution, which must be approved at a meeting of supporters, that the election of trustees to the board be conducted under the Municipal Elections Act. In this case, trustees are elected by a general vote of separate school electors of the separate school zone (section 101).

3. Combined Roman Catholic Separate School Boards:

Combined Roman Catholic separate school boards may be formed in areas not within a county or district combined Roman Catholic separate school zone.

If a combined separate school board includes one or more urban municipalities, the board is deemed an urban combined separate school zone. The regulations that apply to urban separate schools take effect. Two options exist for determining the number of trustees:

(a) the number of trustees may be based on the population of the largest municipality in the union (section 103(4)); or

(b) five to nine trustees (the number passed by a resolution of the board) representing various municipalities, parts of municipalities, or separate school zones in territories without municipal organization may be elected.

These trustees are elected at large within the areas they represent; and in any municipality divided into wards, a resolution may be passed for representation by wards (section 103(5)(6)). The returning officer in the case where one or more trustees represent two or more areas is from the area having the greatest equalized residential and farm assessment for separate school purposes (section 103(7)).

There are 8 rural Roman Catholic separate school boards in the province, all in Northern Ontario and two combined separate school boards, one in Northern Ontario and one in Southern Ontario. Both combined separate school boards are rural combined boards.

F. PROTESTANT SEPARATE SCHOOL BOARDS

Protestant separate schools may be established in areas where the public school(s) in the municipality have Roman Catholic teachers (section 137(3)). Trustees of a Protestant separate school board are elected in the same way as trustees of a Roman Catholic separate school board if such were to be established in the same municipality (section 144(2)). On January 2, 1985, there were two Protestant separate school boards in Ontario, one in Douglas and one in Penetanguishene (Directory of School Boards, 1985, p. 14).

G. BOARDS ON TAX-EXEMPT LAND

The Minister may decide to establish a public school section (section 70(1)) or a secondary school district (section 70(2)) on land held by Ontario, Canada, their agencies, or lands exempt from taxation for school purposes. The school boards formed for such sections or districts have jurisdiction in Department of National Defense areas, Ontario Hydro Centres, and in other areas not normally assessed for school purposes. In 1985, there were 11 such boards on Canadian Forces Bases and Stations, seven of which operate schools. Eight such boards operated schools in Hospitals and Treatment Centres. Ontario Hydro Centre has one board which does not operate a school (Directory of School Boards, 1985, pp. 15-6). The composition of the board in terms of numbers and persons to be appointed is at Ministerial discretion.

APPENDIX 2-1

DATA SOURCE REFERENCES

Population -

Population figures total, public support, separate support by municipality

1985 - Municipal Analysis & Retrieval System
Ministry of Municipal Affairs

Enrolment -

Head count - elementary, secondary, RCSS
English, French

1984 - Statistical Information Services Unit
Ministry of Education

Trustee Numbers -

Boards of Education, RCSS Boards

1985 Election - Statistical Information Services Unit
Ministry of Education

Assessment - Unequalized

Dollar amounts total, public and separate support by municipality

1985 estimates - Ministry of Education Computer Output

Published Assessment Equalization Factor

1984 - Ontario Gazette

Area (in hectares)

Municipal Directory, 1985

Ministry of Municipal Affairs & Housing

Government of Ontario

BOARDS OF EDUCATION

POPULATION DATA

BOARD NAME	REG	PUBLIC POPULATION	SEPARATE POPULATION	TOTAL POPULATION
Atikokan	NW	3,650	1,031	4,681
Brant	CE	82,395	18,817	101,212
Bruce	WE	47,644	10,448	58,092
Carleton	EA	180,039	74,140	254,179
Central Algoma	MN	8,729	0	8,729
Chapleau	MN	1,723	2,068	3,791
Cochrane Iroquois Falls	NE	8,310	8,535	16,845
Dryden	NW	17,903	2,188	20,091
Dufferin	CE	30,057	2,313	32,370
Durham	CE	229,014	52,345	281,359
East Parry Sound	NE	18,385	479	18,864
East York	CE	80,971	16,708	97,679
Elgin	WE	60,810	8,474	69,284
Espanola	MN	5,382	3,664	9,046
Essex	WE	66,974	53,741	120,715
Etobicoke	CE	203,945	94,545	298,490
Fort Frances Rainy River	NW	13,723	2,298	16,021
Frontenac	EA	95,332	22,546	117,878
Geraldton	NW	3,186	2,882	6,068
Grey	WE	79,981	5,398	85,379
Haldimand	CE	43,095	5,561	48,656
Haliburton	CE	11,403	40	11,443
Halton	CE	211,694	52,804	264,498
Hamilton	CE	218,098	89,592	307,690
Hastings	CE	90,030	17,833	107,863
Hearst	NE	1,033	6,468	7,501
Hornepayne	MN	1,286	459	1,745
Huron	WE	45,843	6,695	52,538
Kapuskasing	NE	4,021	11,560	15,581
Kenora	NW	13,135	3,749	16,884
Kent	WE	76,032	29,495	105,527
Kirkland Lake	NE	9,929	6,499	16,428
Lake Superior	NW	7,401	3,825	11,226
Lakehead	NW	90,173	35,162	125,335
Lambton	WE	93,405	28,686	122,091
Lanark	EA	41,510	6,890	48,400
Leeds & Grenville	EA	72,844	12,923	85,767
Lennox & Addington	EA	29,353	3,741	33,094
Lincoln	CE	139,672	36,749	176,421
London	WE	224,046	51,954	276,000
Manitoulin	MN	6,959	50	7,009
Michipicoten	MN	3,225	2,623	5,848
Middlesex	WE	51,999	10,279	62,278
Muskoka	NE	36,517	1,424	37,941
Niagara South	CE	134,068	58,823	192,891
Nipigon-Red Rock	NW	3,582	1,241	4,823
Nipissing	NE	59,822	38,314	98,136
Norfolk	CE	48,314	11,501	59,815
North Shore	MN	13,653	11,635	25,288

POPULATION DATA

BOARD NAME	REG	PUBLIC POPULATION	SEPARATE POPULATION	TOTAL POPULATION
North York	CE	400,351	155,957	556,308
Northumberland Newcastle	CE	88,905	10,396	99,301
Ottawa	EA	201,600	123,974	325,574
Oxford	WE	74,714	10,043	84,757
Peel	CE	400,594	165,277	565,871
Perth	WE	57,830	8,503	66,333
Peterborough	CE	81,328	18,073	99,401
Prescott & Russell	EA	10,727	45,826	56,553
Prince Edward	CE	20,756	1,472	22,228
Red Lake	NW	3,711	540	4,251
Renfrew	EA	57,222	29,769	86,991
Sault Ste Marie	MN	53,635	33,607	87,242
Scarborough	CE	364,263	97,694	461,957
Simcoe	CE	196,895	34,816	231,711
Stormont Dundas Glengarry	EA	50,871	50,639	101,510
Sudbury	MN	65,340	94,005	159,345
Timiskaming	NE	13,606	9,217	22,823
Timmins	NE	20,638	25,105	45,743
Toronto	CE	447,901	158,346	606,247
Victoria	CE	47,099	4,429	51,528
Waterloo	CE	244,348	83,876	328,224
Wellington	CE	113,640	26,118	139,758
Wentworth	CE	87,964	25,610	113,574
West Parry Sound	NE	15,333	622	15,955
Windsor	WE	110,035	84,993	195,028
York	CE	88,107	45,749	133,856
York Region	CE	249,152	74,912	324,064
TOTAL		6,586,860	2,348,763	8,935,623

BOARDS OF EDUCATION

ENROLMENT DATA

BOARD NAME	REG	ELEM ENGLISH	SEC ENGLISH	ELEM FRENCH	SEC FRENCH
Atikokan	NW	455	391	0	0
Brant	CE	10,500	6,007	1	21
Bruce	WE	6,712	3,661	0	0
Carleton	EA	22,736	15,543	322	2,313
Central Algoma	MN	1,372	788	0	0
Chapleau	MN	286	172	1	80
Cochrane Iroquois Falls	NE	1,291	748	7	547
Dryden	NW	2,582	1,675	0	0
Dufferin	CE	4,429	2,364	0	0
Durham	CE	30,313	17,749	0	127
East Parry Sound	NE	2,570	1,285	0	44
East York	CE	7,612	4,869	0	0
Elgin	WE	7,955	4,846	0	0
Espanola	MN	1,211	952	0	91
Essex	WE	9,007	7,663	87	480
Etobicoke	CE	18,847	14,490	0	0
Fort Frances Rainy River	NW	2,201	1,256	0	0
Frontenac	EA	9,545	7,507	75	12
Geraldton	NW	538	468	0	146
Grey	WE	8,835	4,960	0	0
Haldimand	CE	4,075	2,624	0	1
Haliburton	CE	1,253	670	0	0
Halton	CE	25,299	18,052	0	115
Hamilton	CE	24,944	15,228	0	155
Hastings	CE	10,773	7,012	1	0
Hearst	NE	334	130	3	632
Hornepayne	MN	253	126	0	0
Huron	WE	6,471	3,749	0	0
Kapuskasing	NE	612	513	3	1,030
Kenora	NW	1,732	1,121	0	0
Kent	WE	10,000	6,452	0	89
Kirkland Lake	NE	1,067	963	0	253
Lake Superior	NW	1,128	883	0	29
Lakehead	NW	11,513	8,636	0	0
Lambton	WE	11,587	7,186	0	72
Lanark	EA	4,832	3,065	0	0
Leeds & Grenville	EA	9,128	5,813	3	0
Lennox & Addington	EA	4,307	2,556	0	0
Lincoln	CE	16,148	10,703	0	66
London	WE	23,954	16,378	428	87
Manitoulin	MN	1,031	730	0	0
Michipicoten	MN	440	403	0	119
Middlesex	WE	6,855	4,322	4	1
Muskoka	NE	4,482	2,378	0	0
Niagara South	CE	14,763	11,316	971	491
Nipigon-Red Rock	NW	582	406	0	0
Nipissing	NE	5,076	3,724	6	1,560
Norfolk	CE	5,415	3,744	0	2
North Shore	MN	2,565	1,539	0	429

BOARDS OF EDUCATION

ENROLMENT DATA

BOARD NAME	REG	ELEM ENGLISH	SEC ENGLISH	ELEM FRENCH	SEC FRENCH
North York	CE	35,441	28,430	191	337
Northumberland Newcastle	CE	11,344	6,927	0	5
Ottawa	EA	16,714	13,085	645	2,997
Oxford	WE	9,513	5,613	0	0
Peel	CE	49,964	33,461	0	101
Perth	WE	7,356	4,271	0	0
Peterborough	CE	10,483	6,636	0	0
Prescott & Russell	EA	1,670	805	31	2,851
Prince Edward	CE	2,365	1,329	0	0
Red Lake	NW	984	402	0	0
Renfrew	EA	7,008	5,385	3	146
Sault Ste Marie	MN	7,022	5,868	0	143
Scarborough	CE	45,852	32,001	0	0
Simcoe	CE	23,887	14,899	637	358
Stormont Dundas Glengarry	EA	5,909	5,324	26	1,863
Sudbury	MN	9,679	8,296	0	2,737
Timiskaming	NE	2,356	1,520	4	512
Timmins	NE	3,061	1,834	13	1,387
Toronto	CE	40,504	33,452	556	138
Victoria	CE	5,712	3,119	0	0
Waterloo	CE	30,705	19,006	0	31
Wellington	CE	13,419	8,131	0	14
Wentworth	CE	10,269	6,497	0	19
West Parry Sound	NE	1,925	1,081	0	0
Windsor	WE	12,322	10,130	102	259
York	CE	8,884	7,019	0	0
York Region	CE	28,900	17,123	0	32
TOTAL		762,864	519,460	4,120	22,922

BOARDS OF EDUCATION

BOARD NAME	REG	ENROLMENT DATA	
		TOTAL ENGLISH	TOTAL FRENCH
Atikokan	NW	846	0
Brant	CE	16,507	22
Bruce	WE	10,373	0
Carleton	EA	38,279	2,635
Central Algoma	MN	2,160	0
Chapleau	MN	458	81
Cochrane Iroquois Falls	NE	2,039	554
Dryden	NW	4,257	0
Dufferin	CE	6,793	0
Durham	CE	48,062	127
East Parry Sound	NE	3,855	44
East York	CE	12,481	0
Elgin	WE	12,801	0
Espanola	MN	2,163	91
Essex	WE	16,670	567
Etobicoke	CE	33,337	0
Fort Frances Rainy River	NW	3,457	0
Frontenac	EA	17,052	87
Geraldton	NW	1,006	146
Grey	WE	13,795	0
Haldimand	CE	6,699	1
Haliburton	CE	1,923	0
Halton	CE	43,351	115
Hamilton	CE	40,172	155
Hastings	CE	17,785	1
Hearst	NE	464	635
Hornepayne	MN	379	0
Huron	WE	10,220	0
Kapuskasing	NE	1,125	1,033
Kenora	NW	2,853	0
Kent	WE	16,452	89
Kirkland Lake	NE	2,030	253
Lake Superior	NW	2,011	29
Lakehead	NW	20,149	0
Lambton	WE	18,773	72
Lanark	EA	7,897	0
Leeds & Grenville	EA	14,941	3
Lennox & Addington	EA	6,863	0
Lincoln	CE	26,851	66
London	WE	40,332	515
Manitoulin	MN	1,761	0
Michipicoten	MN	843	119
Middlesex	WE	11,177	5
Muskoka	NE	6,860	0
Niagara South	CE	26,079	1,462
Nipigon-Red Rock	NW	988	0
Nipissing	NE	8,800	1,566
Norfolk	CE	9,159	2
North Shore	MN	4,104	429

BOARDS OF EDUCATION

BOARD NAME	REG	ENROLMENT DATA TOTAL ENGLISH	TOTAL FRENCH
North York	CE	63,871	528
Northumberland Newcastle	CE	18,271	5
Ottawa	EA	29,799	3,642
Oxford	WE	15,126	0
Peel	CE	83,425	101
Perth	WE	11,627	0
Peterborough	CE	17,119	0
Prescott & Russell	EA	2,475	2,882
Prince Edward	CE	3,694	0
Red Lake	NW	1,386	0
Renfrew	EA	12,393	149
Sault Ste Marie	MN	12,890	143
Scarborough	CE	77,853	0
Simcoe	CE	38,786	995
Stormont Dundas Glengarry	EA	11,233	1,889
Sudbury	MN	17,975	2,737
Timiskaming	NE	3,876	516
Timmins	NE	4,895	1,400
Toronto	CE	73,956	694
Victoria	CE	8,831	0
Waterloo	CE	49,711	31
Wellington	CE	21,550	14
Wentworth	CE	16,766	19
West Parry Sound	NE	3,006	0
Windsor	WE	22,452	361
York	CE	15,903	0
York Region	CE	46,023	32
TOTAL		1,282,324	27,042

BOARDS OF EDUCATION

BOARD NAME	REG	CURRENT # PUBLIC TRUSTEES	CURRENT # SEP TRUSTEES	CURRENT # TOTAL TRUSTEES
Atikokan	NW	7	1	8
Brant	CE	14	3	17
Bruce	WE	14	2	16
Carleton	EA	16	4	20
Central Algoma	MN	14	0	14
Chapleau	MN	4	3	7
Cochrane Iroquois Falls	NE	8	6	14
Dryden	NW	13	1	14
Dufferin	CE	13	1	14
Durham	CE	17	3	20
East Parry Sound	NE	15	0	15
East York	CE	8	2	10
Elgin	WE	14	2	16
Espanola	MN	9	5	14
Essex	WE	11	7	18
Etobicoke	CE	10	4	14
Fort Frances Rainy River	NW	12	2	14
Frontenac	EA	15	3	18
Geraldton	NW	6	3	9
Grey	WE	15	1	16
Haldimand	CE	13	1	14
Haliburton	CE	15	1	16
Halton	CE	16	4	20
Hamilton	CE	16	6	22
Hastings	CE	15	3	18
Hearst	NE	4	8	12
Hornepayne	MN	4	1	5
Huron	WE	14	2	16
Kapuskasing	NE	6	9	15
Kenora	NW	12	2	14
Kent	WE	13	5	18
Kirkland Lake	NE	9	5	14
Lake Superior	NW	10	4	14
Lakehead	NW	13	6	19
Lambton	WE	14	4	18
Lanark	EA	12	2	14
Leeds & Grenville	EA	14	2	16
Lennox & Addington	EA	13	1	14
Lincoln	CE	17	4	21
London	WE	14	3	17
Manitoulin	MN	14	1	15
Michipicoten	MN	6	4	10
Middlesex	WE	14	2	16
Muskoka	NE	14	1	15
Niagara South	CE	14	6	20
Nipigon-Red Rock	NW	8	0	8
Nipissing	NE	9	7	16
Norfolk	CE	12	4	16
North Shore	MN	9	5	14

BOARDS OF EDUCATION

BOARD NAME	REG	CURRENT # PUBLIC TRUSTEES	CURRENT # SEP TRUSTEES	CURRENT # TOTAL TRUSTEES
North York	CE	14	4	18
Northumberland Newcastle	CE	15	1	16
Ottawa	EA	11	6	17
Oxford	WE	14	2	16
Peel	CE	16	7	23
Perth	WE	14	2	16
Peterborough	CE	16	2	18
Prescott & Russell	EA	6	12	18
Prince Edward	CE	13	1	14
Red Lake	NW	9	1	10
Renfrew	EA	11	5	16
Sault Ste Marie	MN	13	7	20
Scarborough	CE	14	3	17
Simcoe	CE	18	2	20
Stormont Dundas Glengarry	EA	11	7	18
Sudbury	MN	9	11	20
Timiskaming	NE	10	4	14
Timmins	NE	7	7	14
Toronto	CE	22	4	26
Victoria	CE	13	1	14
Waterloo	CE	16	5	21
Wellington	CE	15	3	18
Wentworth	CE	15	3	18
West Parry Sound	NE	13	1	14
Windsor	WE	10	6	16
York	CE	8	2	10
York Region	CE	16	4	20
TOTAL		928	269	1197

RCSS BOARDS

BOARD NAME	REG	SEPARATE POPULATION	CURRENT # SEP TRUSTEES
Brant	CE	23,946	12
Bruce-Grey	WE	16,786	14
Carleton	EA	70,943	16
Chapleau	MN	2,068	8
Cochrane Iroquois Falls	NE	8,535	8
Dryden	NW	1,866	8
Dufferin-Peel	CE	167,591	16
Durham	CE	52,522	16
Elgin	WE	8,474	12
Essex	WE	53,875	14
Fort Frances Rainy River	NW	2,298	8
Frontenac-Lennox & Addington	EA	26,287	14
Geraldton	NW	2,882	8
Haldimand-Norfolk	CE	18,477	12
Halton	CE	52,804	16
Hamilton-Wentworth	CE	116,791	16
Hastings-Prince Edward	CE	20,901	14
Hearst	NE	6,468	8
Huron-Perth	WE	19,458	14
Kapuskasing	NE	11,560	8
Kenora	NW	3,749	8
Kent	WE	32,715	14
Kirkland Lake	NE	6,762	8
Lakehead	NW	35,162	14
Lambton	WE	28,676	14
Lanark Leeds & Grenville	EA	19,813	14
Lincoln	CE	36,749	14
London & Middlesex	WE	62,357	16
Metropolitan Toronto	CE	568,999	24
Michipicoten	MN	2,623	8
Nipissing	NE	38,314	12
North of Superior	NW	5,910	11
North Shore	MN	14,619	10
Ottawa	EA	123,974	16
Oxford	WE	14,620	12
Peterborough Victoria NorthNewc	CE	32,898	16
Prescott & Russell	EA	45,826	12
Red Lake	NW	540	5
Renfrew	EA	32,196	12
Sault Ste Marie	MN	33,607	13
Simcoe	CE	35,660	16
Stormont Dundas Glengarry	EA	50,639	14
Sudbury	MN	94,384	14
Timiskaming	NE	8,910	8
Timmins	NE	25,105	10
Waterloo	CE	86,063	16
Welland	CE	59,844	14
Wellington	CE	26,621	14
Windsor	WE	92,668	10
York Region	CE	74,912	16
TOTAL		2,146,193	627

RCSS BOARDS

BOARD NAME	REG	ELEM ENGLISH	SEC ENGLISH	ELEM FRENCH	SEC FRENCH
Brant	CE	3,270	0	123	0
Bruce-Grey	WE	3,628	0	115	0
Carleton	EA	13,905	0	5,655	0
Chapleau	MN	53	0	330	0
Cochrane Iroquois Falls	NE	413	0	1,258	0
Dryden	NW	472	0	0	0
Dufferin-Peel	CE	40,037	0	936	0
Durham	CE	11,023	0	540	0
Elgin	WE	1,704	0	1	0
Essex	WE	7,610	0	1,871	0
Fort Frances Rainy River	NW	574	0	0	0
Frontenac-Lennox & Addington	EA	4,564	0	228	0
Geraldton	NW	409	0	384	0
Haldimand-Norfolk	CE	2,487	0	36	0
Halton	CE	9,712	0	733	0
Hamilton-Wentworth	CE	19,630	0	679	0
Hastings-Prince Edward	CE	3,843	0	3	0
Hearst	NE	0	0	1,324	0
Huron-Perth	WE	2,580	0	2	0
Kapuskasing	NE	301	0	2,020	0
Kenora	NW	1,108	0	0	0
Kent	WE	4,942	0	559	0
Kirkland Lake	NE	648	0	765	0
Lakehead	NW	6,848	0	121	0
Lambton	WE	6,306	0	427	0
Lanark Leeds & Grenville	EA	3,550	0	3	0
Lincoln	CE	6,832	0	384	0
London & Middlesex	WE	10,568	0	239	0
Metropolitan Toronto	CE	92,284	0	1,448	0
Michipicoten	MN	372	0	230	0
Nipissing	NE	3,040	0	4,308	0
North of Superior	NW	1,025	0	187	0
North Shore	MN	1,945	0	1,725	0
Ottawa	EA	8,663	0	5,290	0
Oxford	WE	1,779	0	78	0
Peterborough Victoria NorthNewc	CE	6,919	0	12	0
Prescott & Russell	EA	226	0	6,775	0
Red Lake	NW	175	0	0	0
Renfrew	EA	4,538	0	396	0
Sault Ste Marie	MN	5,576	0	771	0
Simcoe	CE	6,749	0	742	0
Stormont Dundas Glengarry	EA	3,823	0	4,763	0
Sudbury	MN	8,821	0	10,676	0
Timiskaming	NE	447	0	1,400	0
Timmins	NE	1,311	0	3,599	0
Waterloo	CE	14,098	0	321	0
Welland	CE	10,215	0	479	0
Wellington	CE	4,422	0	194	0
Windsor	WE	13,023	0	1,053	0
York Region	CE	17,016	0	285	0
TOTAL		373,484	0	63,468	0

RCSS BOARDS

BOARD NAME	REG	TOTAL ENGLISH	TOTAL FRENCH
Brant	CE	3,270	123
Bruce-Grey	WE	3,628	115
Carleton	EA	13,905	5,655
Chapleau	MN	53	330
Cochrane Iroquois Falls	NE	413	1,258
Dryden	NW	472	0
Dufferin-Peel	CE	40,037	936
Durham	CE	11,023	540
Elgin	WE	1,704	1
Essex	WE	7,610	1,871
Fort Frances Rainy River	NW	574	0
Frontenac-Lennox & Addington	EA	4,564	228
Geraldton	NW	409	384
Haldimand-Norfolk	CE	2,487	36
Halton	CE	9,712	733
Hamilton-Wentworth	CE	19,630	679
Hastings-Prince Edward	CE	3,843	3
Hearst	NE	0	1,324
Huron-Perth	WE	2,580	2
Kapuskasing	NE	301	2,020
Kenora	NW	1,108	0
Kent	WE	4,942	559
Kirkland Lake	NE	648	765
Lakehead	NW	6,848	121
Lambton	WE	6,306	427
Lanark Leeds & Grenville	EA	3,550	3
Lincoln	CE	6,832	384
London & Middlesex	WE	10,568	239
Metropolitan Toronto	CE	92,284	1,448
Michipicoten	MN	372	230
Nipissing	NE	3,040	4,308
North of Superior	NW	1,025	187
North Shore	MN	1,945	1,725
Ottawa	EA	8,663	5,290
Oxford	WE	1,779	78
Peterborough Victoria NorthNewc	CE	6,919	12
Prescott & Russell	EA	226	6,775
Red Lake	NW	175	0
Renfrew	EA	4,538	396
Sault Ste Marie	MN	5,576	771
Simcoe	CE	6,749	742
Stormont Dundas Glengarry	EA	3,823	4,763
Sudbury	MN	8,821	10,676
Timiskaming	NE	447	1,400
Timmins	NE	1,311	3,599
Waterloo	CE	14,098	321
Welland	CE	10,215	479
Wellington	CE	4,422	194
Windsor	WE	13,023	1,053
York Region	CE	17,016	285
TOTAL		373,484	63,468

APPENDIX 2-2

INTENTIONS OF RCSS BOARDS WITH RESPECT TO SECONDARY EDUCATION

On 16 September 1985, the Ministry of Education released the attached list (table A2.2.1) which indicated the intentions of a number of RCSS boards with respect to secondary education pursuant to Bill 30. Table A2.2.2 lists the corresponding boards of education.

Table A2.2.1

Name of Board	Grade Level	Language of Instruction French	 English
Brant County RCSSB	9, 10 & 11		X
Bruce-Grey County RCSSB	9, 10 & 11		X
Carleton RCSSB	9, 10 & 11	X	X
Cochrane-Iroquois Falls District RCSSB	9	X	
Dufferin-Peel RCSSB	9	X	
	9, 10, & 11		X
Durham Region RCSSB	9, 10, & 11		X
Elgin County RCSSB	9, 10, & 11		X
Essex County RCSSB	9, 10, & 11	X	X
Frontenac-Lennox and Addington County RCSSB	9, 10, & 11	X	X
Haldimand-Norfolk RCSSB	9, 10, & 11		X
Halton RCSSB	9, 10, & 11		X
Hamilton-Wentworth RCSSB	9, 10, & 11		X
Hastings-Prince Edward County RCSSB	9, 10, & 11		X
Kenora District RCSSB	9, 10, & 11		X
Kent County RCSSB	9, 10, & 11	X	X
Lakehead District RCSSB	9, 10, & 11		X
Lambton County RCSSB	9, 10, & 11		X
Lanark, Leeds & Grenville County RCSSB	9, 10, & 11		X
Lincoln County RCSSB	9, 10, & 11		X
London and Middlesex County RCSSB	9, 10, & 11		X
Metropolitan SSB	9	X	
	9, 10, & 11		X

		Language of Instruction	
Name of Board	**Grade Level**	**French**	**English**
Nipissing District RCSSB	9, 10, & 11		X
Ottawa RCSSB	9, 10, & 11	X	X
Oxford County RCSSB	9, 10, & 11		X
Peterborough, Victoria, Northumberland and Newcastle RCSSB	9, 10, & 11		X
Renfrew County RCSSB	9, 10, & 11		X
Sault Ste Marie District RCSSB	9, 10, & 11		X
Simcoe County RCSSB	9, 10, & 11		X
Stormont, Dundas and Glengarry RCSSB	9, 10, & 11		X
Sudbury District RCSSB	9, 10, & 11	X	X
Timmins District RCSSB	9, 10, & 11		X
Waterloo County RCSSB	9, 10, & 11		X
Welland County RCSSB	9, 10, & 11		X
Wellington County RCSSB	9, 10, & 11		X
Windsor RCSSB	9, 10, & 11		X
York Region RCSSB	9, 10, & 11		X

Table A2.2.2

Board of Education	Roman Catholic Separate School Board
Brant County Board	Brant County RCSS Board
Bruce County Board	Bruce-Grey County RCSS Board
Carleton Board	Carleton RCSS Board
Cochrane-Iroquois Falls Board	Cochrane-Iroquois Falls District RCSS Board
Dufferin County Board	Dufferin-Peel RCSS Board
Durham Board	Durham Region RCSS Board
East Parry Sound Board	Nipissing District RCSS Board
Elgin County Board	Elgin County RCSS Board
Essex County Board	Essex County RCSS Board
Frontenac County Board	Frontenac-Lennox & Addington County RCSS Board
Grey County Board	Bruce-Grey County RCSS Board
Haldimand Board	Halidimand-Norfolk RCSS Board
Halton Board	Halton RCSS Board
Board of Education for the City of Hamilton	Hamilton-Wentworth RCSS Board
Hastings County Board	Hastings-Prince Edward County RCSS Board
Kenora Board	Kenora District RCSS Board
Kent County Board	Kent County RCSS Board
Lakehead Board	Lakehead District RCSS Board
Lambton County Board	Lambton County RCSS Board
Lanark County Board	Lanark, Leeds and Grenville County RCSS Board
Leeds and Grenville County Board	Lanark, Leeds and Grenville County RCSS Board
Lennox and Addington County Board	Frontenac-Lennox and Addington County RCSS Board
Lincoln County Board	Lincoln County RCSS Board

Board of Education	Roman Catholic Separate School Board
Board of Education for the City of London	London and Middlesex County RCSS Board
Metropolitan Toronto Board	Metropolitan Separate School Board
Middlesex County Board	London and Middlesex County RCSS Board
Muskoka Board	Nipissing District RCSS Board
Niagara South Board	Welland County RCSS Board
Nipissing Board	Nipissing District RCSS Board
Norfolk Board	Haldimand-Norfolk RCSS Board
Northumberland and Newcastle Board	Perterborough-Victoria-Northumberland and Newcastle RCSS Board
Ottawa Board	Ottawa RCSS Board
Oxford County Board	Oxford County RCSS Board
Peel Board	Dufferin-Peel RCSS Board
Peterborough County Board	Peterborough-Victoria-Northumberland and Newcastle RCSS Board
Prince Edward County Board	Hastings-Prince Edward County RCSS Board
Renfrew County Board	Renfrew County RCSS Board
Sault Ste Marie Board	Sault Ste Marie District RCSS Board
Simcoe County Board	Simcoe County RCSS Board
Stormont, Dundas and Glengarry County Board	Stormont, Dundas and Glengarry County RCSS Board
Sudbury Board	Sudbury District RCSS Board
Timmins Board	Timmins District RCSS Board
Victoria County Board	Peterborough-Victoria-Northumberland and Newcastle RCSS Board
Waterloo County Board	Waterloo County RCSS Board
Wellington County Board	Wellington County RCSS Board

Board of Education	Roman Catholic Separate School Board
Wentworth County Board	Hamilton-Wentworth RCSS Board
West Parry Sound Board	Nipissing District RCSS Board
Board of Education for the City of Windsor	Windsor RCSS Board
York Region Board	York Region RCSS Board

APPENDIX 6-1

SIMULATIONS OF APPORTIONMENT

SIMULATION OF APPORTIONMENT (NO CHANGE IN METHOD OF DETERMINING TOTAL TRUSTEE NUMBERS) FOR THE CURRENT SITUATION

Brant County
17 (TOTAL) TRUSTEES

	SIMULATION #1 STATUS QUO		SIMULATION #3 REP BY POP TOTAL POP "SUPPORTERS"		SIMULATION #6 POP & AREA (LOG AREA)	
MUNICIPALITY	PUBLIC	SEPARATE	PUBLIC	SEPARATE	PUBLIC	SEPARATE
CITY						
Brantford	8.66	2.08	10.17	2.43	10.11	2.41
CITY SUBTOTAL	9.00	2.00	10.00	2.00	10.00	2.00
TOWNS						
Paris	0.82	0.10	1.21	0.26	0.94	0.20
VILLAGES						
TOWNSHIPS						
Brantford	1.34	0.30	0.99	0.29	1.11	0.31
Burford	1.15	0.38	0.75	0.31	0.85	0.34
Oakland	0.23	0.12	0.18	0.06	0.17	0.06
Onondaga	0.37	0.02	0.22	0.02	0.22	0.02
S Dumfries	1.10	0.08	0.66	0.07	0.72	0.08
COUNTY SUBTOTAL	5.00	1.00	4.00	1.00	4.00	1.00
TOTAL	14.00	3.00	14.00	3.00	14.00	3.00

SIMULATION OF APPORTIONMENT (NO CHANGE IN METHOD OF DETERMINING TOTAL TRUSTEE NUMBERS) FOR THE CURRENT SITUATION

Brant County
17 (TOTAL) TRUSTEES

	SIMULATION #8 POP (.9) & AREA (.1)		SIMULATION #9 WITH REDISTRIB TO REFLECT LOW DENSITY (<50%)		SIMULATION #11 EXTRA TRUSTEES IN LOW DENSITY AREAS (50%)	
MUNICIPALITY	PUBLIC	SEPARATE	PUBLIC	SEPARATE	PUBLIC	SEPARATE
CITY						
Brantford	9.26	2.21	8.54	2.13	10.17	2.43
CITY SUBTOTAL	9.00	2.00	9.00	2.00	10.00	2.00
TOWNS						
Paris	1.36	0.23	0.89	0.15	1.21	0.26
VILLAGES						
TOWNSHIPS						
Brantford	1.26	0.29	1.46	0.33	1.99	0.57
Burford	1.00	0.31	1.10	0.35	1.49	0.61
Oakland	0.23	0.06	0.26	0.07	0.36	0.13
Onondaga	0.29	0.03	0.32	0.02	0.43	0.03
S Dumfries	0.85	0.09	0.97	0.08	1.32	0.14
COUNTY SUBTOTAL	5.00	1.00	5.00	1.00	7.00	2.00
TOTAL	14.00	3.00	14.00	3.00	17.00	4.00
					14.00	3.00

BASIC # OF TRUSTEES

SIMULATION OF APPORTIONMENT (NO CHANGE IN METHOD OF DETERMINING TOTAL TRUSTEE NUMBERS) FOR BILL 30 ALONE

Brant County
14 PUBLIC TRUSTEES

	SIMULATION #1 STATUS QUO		SIMULATION #3 REP BY POP TOTAL POP "SUPPORTERS"		SIMULATION #6 POP & AREA (LOG AREA)	
MUNICIPALITY	PUBLIC	SEPARATE	PUBLIC	SEPARATE	PUBLIC	SEPARATE
CITY						
Brantford	8.66	0.00	10.17	0.00	10.11	0.00
CITY SUBTOTAL	9.00	0.00	10.00	0.00	10.00	0.00
TOWNS						
Paris	0.82	0.00	1.21	0.00	0.94	0.00
VILLAGES						
TOWNSHIPS						
Brantford	1.34	0.00	0.99	0.00	1.11	0.00
Burford	1.15	0.00	0.75	0.00	0.85	0.00
Oakland	0.23	0.00	0.18	0.00	0.17	0.00
Onondaga	0.37	0.00	0.22	0.00	0.22	0.00
S Dumfries	1.10	0.00	0.66	0.00	0.72	0.00
COUNTY SUBTOTAL	5.00	0.00	4.00	0.00	4.00	0.00
TOTAL	14.00	0.00	14.00	0.00	14.00	0.00

SIMULATION OF APPORTIONMENT (NO CHANGE IN METHOD OF DETERMINING TOTAL TRUSTEE NUMBERS) FOR BILL 30 ALONE

Brant County
14 PUBLIC TRUSTEES

MUNICIPALITY	SIMULATION #8 POP (.9) & AREA (.1) PUBLIC	SEPARATE	SIMULATION #9 WITH REDISTRIB TO REFLECT LOW DENSITY (<50%) PUBLIC	SEPARATE	SIMULATION #11 EXTRA TRUSTEES IN LOW DENSITY AREAS (50%) PUBLIC	SEPARATE
CITY						
Brantford	9.26	0.00	8.54	0.00	10.17	0.00
CITY SUBTOTAL	9.00	0.00	9.00	0.00	10.00	0.00
TOWNS						
Paris	1.36	0.00	0.89	0.00	1.21	0.00
VILLAGES						
TOWNSHIPS						
Brantford	1.26	0.00	1.46	0.00	1.99	0.00
Burford	1.00	0.00	1.10	0.00	1.49	0.00
Oakland	0.23	0.00	0.26	0.00	0.36	0.00
Onondaga	0.29	0.00	0.32	0.00	0.43	0.00
S Dumfries	0.85	0.00	0.97	0.00	1.32	0.00
COUNTY SUBTOTAL	5.00	0.00	5.00	0.00	7.00	0.00
TOTAL	14.00	0.00	14.00	0.00	17.00	0.00
					14.00	0.00
					BASIC # OF TRUSTEES	

SIMULATION OF APPORTIONMENT (NO CHANGE IN METHOD OF DETERMINING TOTAL TRUSTEE NUMBERS) FOR BILL 75 ALONE

Brant County
17 English Trustees + 3 added French-language Trustees

	SIMULATION #1 STATUS QUO		SIMULATION #3 REP BY POP TOTAL POP "SUPPORTERS"		SIMULATION #6 POP & AREA (LOG AREA)	
MUNICIPALITY	PUBLIC	SEPARATE	PUBLIC	SEPARATE	PUBLIC	SEPARATE
CITY						
Brantford	8.66	2.08	10.17	2.43	10.11	2.41
CITY SUBTOTAL	9.00	2.00	10.00	2.00	10.00	2.00
TOWNS						
Paris	0.82	0.10	1.21	0.26	0.94	0.20
VILLAGES						
TOWNSHIPS						
Brantford	1.34	0.30	0.99	0.29	1.11	0.31
Burford	1.15	0.38	0.75	0.31	0.85	0.34
Oakland	0.23	0.12	0.18	0.06	0.17	0.06
Onondaga	0.37	0.02	0.22	0.02	0.22	0.02
S Dumfries	1.10	0.08	0.66	0.07	0.72	0.08
COUNTY SUBTOTAL	5.00	1.00	4.00	1.00	4.00	1.00
TOTAL	14.00	3.00	14.00	3.00	14.00	3.00

SIMULATION OF APPORTIONMENT (NO CHANGE IN METHOD OF DETERMINING TOTAL TRUSTEE NUMBERS) FOR BILL 75 ALONE

Brant County
17 English Trustees + 3 added French-language Trustees

	SIMULATION #8 POP (.9) & AREA (.1)		SIMULATION #9 WITH REDISTRIB TO REFLECT LOW DENSITY (<50%)		SIMULATION #11 EXTRA TRUSTEES IN LOW DENSITY AREAS (50%)	
MUNICIPALITY	PUBLIC	SEPARATE	PUBLIC	SEPARATE	PUBLIC	SEPARATE
CITY						
Brantford	9.26	2.21	8.54	2.13	10.17	2.43
CITY SUBTOTAL	9.00	2.00	9.00	2.00	10.00	2.00
TOWNS						
Paris	1.36	0.23	0.89	0.15	1.21	0.26
VILLAGES						
TOWNSHIPS						
Brantford	1.26	0.29	1.46	0.33	1.99	0.57
Burford	1.00	0.31	1.10	0.35	1.49	0.61
Oakland	0.23	0.06	0.26	0.07	0.36	0.13
Onondaga	0.29	0.03	0.32	0.02	0.43	0.03
S Dumfries	0.85	0.09	0.97	0.08	1.32	0.14
COUNTY SUBTOTAL	5.00	1.00	5.00	1.00	7.00	2.00
TOTAL	14.00	3.00	14.00	3.00	17.00	4.00
					14.00	3.00

BASIC # OF TRUSTEES

SIMULATION OF APPORTIONMENT (NO CHANGE IN METHOD OF DETERMINING TOTAL TRUSTEE NUMBERS) FOR BILL 30 & BILL 75

Brant County
14 English (Public) Trustees + 3 added French-language Trustees

	SIMULATION #1 STATUS QUO		SIMULATION #3 REP BY POP TOTAL POP "SUPPORTERS"		SIMULATION #6 POP & AREA (LOG AREA)	
MUNICIPALITY	PUBLIC	SEPARATE	PUBLIC	SEPARATE	PUBLIC	SEPARATE
CITY						
Brantford	8.66	0.00	10.17	0.00	10.11	0.00
CITY SUBTOTAL	9.00	0.00	10.00	0.00	10.00	0.00
TOWNS						
Paris	0.82	0.00	1.21	0.00	0.94	0.00
VILLAGES						
TOWNSHIPS						
Brantford	1.34	0.00	0.99	0.00	1.11	0.00
Burford	1.15	0.00	0.75	0.00	0.85	0.00
Oakland	0.23	0.00	0.18	0.00	0.17	0.00
Onondaga	0.37	0.00	0.22	0.00	0.22	0.00
S Dumfries	1.10	0.00	0.66	0.00	0.72	0.00
COUNTY SUBTOTAL	5.00	0.00	4.00	0.00	4.00	0.00
TOTAL	14.00	0.00	14.00	0.00	14.00	0.00

SIMULATION OF APPORTIONMENT (NO CHANGE IN METHOD OF DETERMINING TOTAL TRUSTEE NUMBERS) FOR BILL 30 & BILL 75

Brant County
14 English (Public) Trustees + 3 added French-language Trustees

	SIMULATION #8 POP (.9) & AREA (.1)		SIMULATION #9 WITH REDISTRIB TO REFLECT LOW DENSITY (<50%)		SIMULATION #11 EXTRA TRUSTEES IN LOW DENSITY AREAS (50%)	
MUNICIPALITY	PUBLIC	SEPARATE	PUBLIC	SEPARATE	PUBLIC	SEPARATE
CITY						
Brantford	9.26	0.00	8.54	0.00	10.17	0.00
CITY SUBTOTAL	9.00	0.00	9.00	0.00	10.00	0.00
TOWNS						
Paris	1.36	0.00	0.89	0.00	1.21	0.00
VILLAGES						
TOWNSHIPS						
Brantford	1.26	0.00	1.46	0.00	1.99	0.00
Burford	1.00	0.00	1.10	0.00	1.49	0.00
Oakland	0.23	0.00	0.26	0.00	0.36	0.00
Onondaga	0.29	0.00	0.32	0.00	0.43	0.00
S Dumfries	0.85	0.00	0.97	0.00	1.32	0.00
COUNTY SUBTOTAL	5.00	0.00	5.00	0.00	7.00	0.00
TOTAL	14.00	0.00	14.00	0.00	17.00	0.00
					14.00	0.00

BASIC # OF TRUSTEES

SIMULATION OF APPORTIONMENT (USING THE ADDITIVE METHOD TO DETERMINE BASIC REPRESENTATION) FOR THE CURRENT SITUATION

Brant County
16 Public Trustees, 4 Separate Trustees

	SIMULATION #1 STATUS QUO		SIMULATION #3 REP BY POP TOTAL POP "SUPPORTERS"		SIMULATION #6 POP & AREA (LOG AREA)	
MUNICIPALITY	PUBLIC	SEPARATE	PUBLIC	SEPARATE	PUBLIC	SEPARATE
CITY						
Brantford	9.90	2.77	11.62	3.24	11.56	3.21
CITY SUBTOTAL	10.00	3.00	12.00	3.00	12.00	3.00
TOWNS						
Paris	0.98	0.10	1.21	0.26	0.94	0.20
VILLAGES						
TOWNSHIPS						
Brantford	1.61	0.30	0.99	0.29	1.11	0.31
Burford	1.38	0.38	0.75	0.31	0.85	0.34
Oakland	0.27	0.12	0.18	0.06	0.17	0.06
Onondaga	0.44	0.02	0.22	0.02	0.22	0.02
S Dumfries	1.32	0.08	0.66	0.07	0.72	0.08
COUNTY SUBTOTAL	6.00	1.00	4.00	1.00	4.00	1.00
TOTAL	16.00	4.00	16.00	4.00	16.00	4.00

SIMULATION OF APPORTIONMENT (USING THE ADDITIVE METHOD TO DETERMINE BASIC REPRESENTATION) FOR THE CURRENT SITUATION

Brant County
16 Public Trustees, 4 Separate Trustees

	SIMULATION #8 POP (.9) & AREA (.1)		SIMULATION #9 WITH REDISTRIB TO REFLECT LOW DENSITY (<50%)		SIMULATION #11 EXTRA TRUSTEES IN LOW DENSITY AREAS (50%)	
MUNICIPALITY	PUBLIC	SEPARATE	PUBLIC	SEPARATE	PUBLIC	SEPARATE
CITY						
Brantford	10.58	2.94	9.76	2.83	11.62	3.24
CITY SUBTOTAL	11.00	3.00	10.00	3.00	12.00	3.00
TOWNS						
Paris	1.36	0.23	1.07	0.15	1.21	0.26
VILLAGES						
TOWNSHIPS						
Brantford	1.26	0.29	1.75	0.33	1.99	0.57
Burford	1.00	0.31	1.32	0.35	1.49	0.61
Oakland	0.23	0.06	0.32	0.07	0.36	0.13
Onondaga	0.29	0.03	0.38	0.02	0.43	0.03
S Dumfries	0.85	0.09	1.17	0.08	1.32	0.14
COUNTY SUBTOTAL	5.00	1.00	6.00	1.00	7.00	2.00
TOTAL	16.00	4.00	16.00	4.00	19.00	5.00
					16.00	4.00

BASIC # OF TRUSTEES

SIMULATION OF APPORTIONMENT (USING THE ADDITIVE METHOD TO DETERMINE BASIC REPRESENTATION) FOR BILL 30

Brant County
16 Public Trustees

	SIMULATION #1 STATUS QUO		SIMULATION #3 REP BY POP TOTAL POP "SUPPORTERS"		SIMULATION #6 POP & AREA (LOG AREA)	
MUNICIPALITY	PUBLIC	SEPARATE	PUBLIC	SEPARATE	PUBLIC	SEPARATE
CITY						
Brantford	9.90	0.00	11.62	0.00	11.56	0.00
CITY SUBTOTAL	10.00	0.00	12.00	0.00	12.00	0.00
TOWNS						
Paris	0.98	0.00	1.21	0.00	0.94	0.00
VILLAGES						
TOWNSHIPS						
Brantford	1.61	0.00	0.99	0.00	1.11	0.00
Burford	1.38	0.00	0.75	0.00	0.85	0.00
Oakland	0.27	0.00	0.18	0.00	0.17	0.00
Onondaga	0.44	0.00	0.22	0.00	0.22	0.00
S Dumfries	1.32	0.00	0.66	0.00	0.72	0.00
COUNTY SUBTOTAL	6.00	0.00	4.00	0.00	4.00	0.00
TOTAL	16.00	0.00	16.00	0.00	16.00	0.00

SIMULATION OF APPORTIONMENT (USING THE ADDITIVE METHOD TO DETERMINE BASIC REPRESENTATION) FOR BILL 30

Brant County
16 Public Trustees

	SIMULATION #8 POP (.9) & AREA (.1)		SIMULATION #9 WITH REDISTRIB TO REFLECT LOW DENSITY (<50%)		SIMULATION #11 EXTRA TRUSTEES IN LOW DENSITY AREAS (50%)	
MUNICIPALITY	PUBLIC	SEPARATE	PUBLIC	SEPARATE	PUBLIC	SEPARATE
CITY						
Brantford	10.58	0.00	9.76	0.00	11.62	0.00
CITY SUBTOTAL	11.00	0.00	10.00	0.00	12.00	0.00
TOWNS						
Paris	1.36	0.00	1.07	0.00	1.21	0.00
VILLAGES						
TOWNSHIPS						
Brantford	1.26	0.00	1.75	0.00	1.99	0.00
Burford	1.00	0.00	1.32	0.00	1.49	0.00
Oakland	0.23	0.00	0.32	0.00	0.36	0.00
Onondaga	0.29	0.00	0.38	0.00	0.43	0.00
S Dumfries	0.85	0.00	1.17	0.00	1.32	0.00
COUNTY SUBTOTAL	5.00	0.00	6.00	0.00	7.00	0.00
TOTAL	16.00	0.00	16.00	0.00	19.00	0.00
					16.00	0.00

BASIC # OF TRUSTEES

SIMULATION OF APPORTIONMENT (USING THE ADDITIVE METHOD TO DETERMINE BASIC REPRESENTATION) FOR BILL 75

Brant County
16 Public Trustees, 4 Separate Trustees + 3 added French-language Trustees

	SIMULATION #1 STATUS QUO		SIMULATION #3 REP BY POP TOTAL POP "SUPPORTERS"		SIMULATION #6 POP & AREA (LOG AREA)	
MUNICIPALITY	PUBLIC	SEPARATE	PUBLIC	SEPARATE	PUBLIC	SEPARATE
CITY						
Brantford	9.90	2.77	11.62	3.24	11.56	3.21
CITY SUBTOTAL	10.00	3.00	12.00	3.00	12.00	3.00
TOWNS						
Paris	0.98	0.10	1.21	0.26	0.94	0.20
VILLAGES						
TOWNSHIPS						
Brantford	1.61	0.30	0.99	0.29	1.11	0.31
Burford	1.38	0.38	0.75	0.31	0.85	0.34
Oakland	0.27	0.12	0.18	0.06	0.17	0.06
Onondaga	0.44	0.02	0.22	0.02	0.22	0.02
S Dumfries	1.32	0.08	0.66	0.07	0.72	0.08
COUNTY SUBTOTAL	6.00	1.00	4.00	1.00	4.00	1.00
TOTAL	16.00	4.00	16.00	4.00	16.00	4.00

SIMULATION OF APPORTIONMENT (USING THE ADDITIVE METHOD TO DETERMINE BASIC REPRESENTATION) FOR BILL 75

Brant County
16 Public Trustees, 4 Separate Trustees + 3 added French-language Trustees

	SIMULATION #8 POP (.9) & AREA (.1)		SIMULATION #9 WITH REDISTRIB TO REFLECT LOW DENSITY (<50%)		SIMULATION #11 EXTRA TRUSTEES IN LOW DENSITY AREAS (50%)	
MUNICIPALITY	PUBLIC	SEPARATE	PUBLIC	SEPARATE	PUBLIC	SEPARATE
CITY						
Brantford	10.58	2.94	9.76	2.83	11.62	3.24
CITY SUBTOTAL	11.00	3.00	10.00	3.00	12.00	3.00
TOWNS						
Paris	1.36	0.23	1.07	0.15	1.21	0.26
VILLAGES						
TOWNSHIPS						
Brantford	1.26	0.29	1.75	0.33	1.99	0.57
Burford	1.00	0.31	1.32	0.35	1.49	0.61
Oakland	0.23	0.06	0.32	0.07	0.36	0.13
Onondaga	0.29	0.03	0.38	0.02	0.43	0.03
S Dumfries	0.85	0.09	1.17	0.08	1.32	0.14
COUNTY SUBTOTAL	5.00	1.00	6.00	1.00	7.00	2.00
TOTAL	16.00	4.00	16.00	4.00	19.00	5.00
					16.00	4.00
					BASIC # OF TRUSTEES	

SIMULATION OF APPORTIONMENT (USING THE ADDITIVE METHOD TO DETERMINE BASIC REPRESENTATION) FOR BILL 30 & BILL 75

Brant County
16 Public Trustees + 3 added French-language Trustees

	SIMULATION #1 STATUS QUO		SIMULATION #3 REP BY POP TOTAL POP "SUPPORTERS"		SIMULATION #6 POP & AREA (LOG AREA)	
MUNICIPALITY	PUBLIC	SEPARATE	PUBLIC	SEPARATE	PUBLIC	SEPARATE
CITY						
Brantford	9.90	0.00	11.62	0.00	11.56	0.00
CITY SUBTOTAL	10.00	0.00	12.00	0.00	12.00	0.00
TOWNS						
Paris	0.98	0.00	1.21	0.00	0.94	0.00
VILLAGES						
TOWNSHIPS						
Brantford	1.61	0.00	0.99	0.00	1.11	0.00
Burford	1.38	0.00	0.75	0.00	0.85	0.00
Oakland	0.27	0.00	0.18	0.00	0.17	0.00
Onondaga	0.44	0.00	0.22	0.00	0.22	0.00
S Dumfries	1.32	0.00	0.66	0.00	0.72	0.00
COUNTY SUBTOTAL	6.00	0.00	4.00	0.00	4.00	0.00
TOTAL	16.00	0.00	16.00	0.00	16.00	0.00

SIMULATION OF APPORTIONMENT (USING THE ADDITIVE METHOD TO DETERMINE BASIC REPRESENTATION) FOR BILL 30 & BILL 75

Brant County
16 Public Trustees + 3 added French-language Trustees

	SIMULATION #8 POP (.9) & AREA (.1)		SIMULATION #9 WITH REDISTRIB TO REFLECT LOW DENSITY (<50%)		SIMULATION #11 EXTRA TRUSTEES IN LOW DENSITY AREAS (50%)	
MUNICIPALITY	PUBLIC	SEPARATE	PUBLIC	SEPARATE	PUBLIC	SEPARATE
CITY						
Brantford	10.58	0.00	9.76	0.00	11.62	0.00
CITY SUBTOTAL	11.00	0.00	10.00	0.00	12.00	0.00
TOWNS						
Paris	1.36	0.00	1.07	0.00	1.21	0.00
VILLAGES						
TOWNSHIPS						
Brantford	1.26	0.00	1.75	0.00	1.99	0.00
Burford	1.00	0.00	1.32	0.00	1.49	0.00
Oakland	0.23	0.00	0.32	0.00	0.36	0.00
Onondaga	0.29	0.00	0.38	0.00	0.43	0.00
S Dumfries	0.85	0.00	1.17	0.00	1.32	0.00
COUNTY SUBTOTAL	5.00	0.00	6.00	0.00	7.00	0.00
TOTAL	16.00	0.00	16.00	0.00	19.00	0.00
					16.00	0.00

BASIC # OF TRUSTEES

SIMULATION OF APPORTIONMENT (NO CHANGE IN METHOD OF DETERMINING TOTAL TRUSTEE NUMBERS) FOR THE CURRENT SITUATION

Brant County RCSS
12 Trustees

	SIMULATION #1 STATUS QUO	SIMULATION #3 REP BY POP TOTAL POP "SUPPORTERS"	SIMULATION #6 POP & AREA (LOG AREA)
MUNICIPALITY	SEPARATE	SEPARATE	SEPARATE
CITY			
Brantford	8.25	7.63	7.23
CITY SUBTOTAL	8.00	8.00	7.00
TOWNS			
Paris	0.41	0.42	0.37
VILLAGES			
TOWNSHIPS			
Brantford	1.16	0.47	0.59
Burford	1.49	0.50	0.63
Oakland	0.47	0.11	0.11
Onondaga	0.07	0.03	0.03
S Dumfries	0.31	0.12	0.14
Norwich N	0.01	0.39	0.51
Delhi	0.08	1.96	2.62
COUNTY SUBTOTAL	4.00	4.00	5.00
TOTAL	12.00	12.00	12.00

SIMULATION OF APPORTIONMENT (NO CHANGE IN METHOD OF DETERMINING TOTAL TRUSTEE NUMBERS) FOR THE CURRENT SITUATION

Brant County RCSS
12 Trustees

	SIMULATION #8 POP (.9) & AREA (.1)	SIMULATION #9 REP BY POP w REDISTRIB TO REFLECT LOW DENSITY (<50%)	SIMULATION #11 REP BY POP w EXTRA TRUSTEES TO REFLECT LOW DENSITY (<50%)
MUNICIPALITY	SEPARATE	SEPARATE	SEPARATE
CITY			
Brantford	6.91	6.65	7.63
CITY SUBTOTAL	7.00	7.00	8.00
TOWNS			
Paris	0.48	0.38	0.42
VILLAGES			
TOWNSHIPS			
Brantford	0.60	0.84	0.94
Burford	0.64	0.90	1.01
Oakland	0.13	0.19	0.21
Onondaga	0.06	0.05	0.05
S Dumfries	0.18	0.21	0.23
Norwich N	0.55	0.69	0.78
Delhi	2.36	1.75	1.96
COUNTY SUBTOTAL	5.00	5.00	6.00
TOTAL	12.00	12.00	14.00
			12.00
			BASIC # TRUSTEES

SIMULATION OF APPORTIONMENT (NO CHANGE IN METHOD OF DETERMINING TOTAL TRUSTEE NUMBERS) FOR BILL 75

Brant County RCSS
12 Trustees + 3 added French-language Trustees

MUNICIPALITY	SIMULATION #1 STATUS QUO SEPARATE	SIMULATION #3 REP BY POP TOTAL POP "SUPPORTERS" SEPARATE	SIMULATION #6 POP & AREA (LOG AREA) SEPARATE
CITY			
Brantford	8.25	7.63	7.23
CITY SUBTOTAL	8.00	8.00	7.00
TOWNS			
Paris	0.41	0.42	0.37
VILLAGES			
TOWNSHIPS			
Brantford	1.16	0.47	0.59
Burford	1.49	0.50	0.63
Oakland	0.47	0.11	0.11
Onondaga	0.07	0.03	0.03
S Dumfries	0.31	0.12	0.14
Norwich N	0.01	0.39	0.51
Delhi	0.08	1.96	2.62
COUNTY SUBTOTAL	4.00	4.00	5.00
TOTAL	12.00	12.00	12.00

SIMULATION OF APPORTIONMENT (NO CHANGE IN METHOD OF DETERMINING TOTAL TRUSTEE NUMBERS) FOR BILL 75

Brant County RCSS
12 Trustees + 3 added French-language Trustees

MUNICIPALITY	SIMULATION #8 POP (.9) & AREA (.1) SEPARATE	SIMULATION #9 REP BY POP w REDISTRIB TO REFLECT LOW DENSITY (<50%) SEPARATE	SIMULATION #11 REP BY POP w EXTRA TRUSTEES TO REFLECT LOW DENSITY (<50%) SEPARATE
CITY			
Brantford	6.91	6.65	7.63
CITY SUBTOTAL	7.00	7.00	8.00
TOWNS			
Paris	0.48	0.38	0.42
VILLAGES			
TOWNSHIPS			
Brantford	0.60	0.84	0.94
Burford	0.64	0.90	1.01
Oakland	0.13	0.19	0.21
Onondaga	0.06	0.05	0.05
S Dumfries	0.18	0.21	0.23
Norwich N	0.55	0.69	0.78
Delhi	2.36	1.75	1.96
COUNTY SUBTOTAL	5.00	5.00	6.00
TOTAL	12.00	12.00	14.00
			12.00 BASIC # TRUSTEES

SIMULATION OF APPORTIONMENT (USING THE ADDITIVE METHOD TO DETERMINE BASIC REPRESENTATION) FOR THE CURRENT SITUATION

Brant County RCSS
12 Trustees

MUNICIPALITY	SIMULATION #1 STATUS QUO SEPARATE	SIMULATION #3 REP BY POP TOTAL POP "SUPPORTERS" SEPARATE	SIMULATION #6 POP & AREA (LOG AREA) SEPARATE
CITY			
Brantford	8.25	7.63	7.23
CITY SUBTOTAL	8.00	8.00	7.00
TOWNS			
Paris	0.41	0.42	0.37
VILLAGES			
TOWNSHIPS			
Brantford	1.16	0.47	0.59
Burford	1.49	0.50	0.63
Oakland	0.47	0.11	0.11
Onondaga	0.07	0.03	0.03
S Dumfries	0.31	0.12	0.14
Norwich N	0.01	0.39	0.51
Delhi	0.08	1.96	2.62
COUNTY SUBTOTAL	4.00	4.00	5.00
TOTAL	12.00	12.00	12.00

SIMULATION OF APPORTIONMENT (USING THE ADDITIVE METHOD TO DETERMINE BASIC REPRESENTATION) FOR THE CURRENT SITUATION

Brant County RCSS
12 Trustees

MUNICIPALITY	SIMULATION #8 POP (.9) & AREA (.1) SEPARATE	SIMULATION #9 REP BY POP w REDISTRIB TO REFLECT LOW DENSITY (<50%) SEPARATE	SIMULATION #11 REP BY POP w EXTRA TRUSTEES TO REFLECT LOW DENSITY (<50%) SEPARATE
CITY			
Brantford	6.91	6.65	7.63
CITY SUBTOTAL	7.00	7.00	8.00
TOWNS			
Paris	0.48	0.38	0.42
VILLAGES			
TOWNSHIPS			
Brantford	0.60	0.84	0.94
Burford	0.64	0.90	1.01
Oakland	0.13	0.19	0.21
Onondaga	0.06	0.05	0.05
S Dumfries	0.18	0.21	0.23
Norwich N	0.55	0.69	0.78
Delhi	2.36	1.75	1.96
COUNTY SUBTOTAL	5.00	5.00	6.00
TOTAL	12.00	12.00	14.00
			12.00 BASIC # TRUSTEES

SIMULATION OF APPORTIONMENT (USING THE ADDITIVE METHOD TO DETERMINE BASIC REPRESENTATION) FOR BILL 75

Brant County RCSS
12 Trustees + 3 added French-language Trustees

	SIMULATION #1 STATUS QUO	SIMULATION #3 REP BY POP TOTAL POP "SUPPORTERS"	SIMULATION #6 POP & AREA (LOG AREA)
MUNICIPALITY	SEPARATE	SEPARATE	SEPARATE
CITY			
Brantford	8.25	7.63	7.23
CITY SUBTOTAL	8.00	8.00	7.00
TOWNS			
Paris	0.41	0.42	0.37
VILLAGES			
TOWNSHIPS			
Brantford	1.16	0.47	0.59
Burford	1.49	0.50	0.63
Oakland	0.47	0.11	0.11
Onondaga	0.07	0.03	0.03
S Dumfries	0.31	0.12	0.14
Norwich N	0.01	0.39	0.51
Delhi	0.08	1.96	2.62
COUNTY SUBTOTAL	4.00	4.00	5.00
TOTAL	12.00	12.00	12.00

SIMULATION OF APPORTIONMENT (USING THE ADDITIVE METHOD TO DETERMINE BASIC REPRESENTATION) FOR BILL 75

Brant County RCSS
12 Trustees + 3 added French-language Trustees

MUNICIPALITY	SIMULATION #8 POP (.9) & AREA (.1) SEPARATE	SIMULATION #9 REP BY POP w REDISTRIB TO REFLECT LOW DENSITY (<50%) SEPARATE	SIMULATION #11 REP BY POP w EXTRA TRUSTEES TO REFLECT LOW DENSITY (<50%) SEPARATE
CITY			
Brantford	6.91	6.65	7.63
CITY SUBTOTAL	7.00	7.00	8.00
TOWNS			
Paris	0.48	0.38	0.42
VILLAGES			
TOWNSHIPS			
Brantford	0.60	0.84	0.94
Burford	0.64	0.90	1.01
Oakland	0.13	0.19	0.21
Onondaga	0.06	0.05	0.05
S Dumfries	0.18	0.21	0.23
Norwich N	0.55	0.69	0.78
Delhi	2.36	1.75	1.96
COUNTY SUBTOTAL	5.00	5.00	6.00
TOTAL	12.00	12.00	14.00
			12.00 BASIC # TRUSTEES

SIMULATION OF APPORTIONMENT (NO CHANGE IN METHOD OF DETERMINING TOTAL TRUSTEE NUMBERS) FOR THE CURRENT SITUATION

Prescott & Russell
16 Total Trustees (per schedule)

	SIMULATION #1 STATUS QUO		SIMULATION #3 REP BY POP TOTAL POP "SUPPORTERS"		SIMULATION #6 POP & AREA (LOG AREA)	
MUNICIPALITY	PUBLIC	SEPARATE	PUBLIC	SEPARATE	PUBLIC	SEPARATE
CITY						
CITY SUBTOTAL	0.00	0.00	0.00	0.00	0.00	0.00
TOWNS						
Hawkesbury	0.34	1.44	0.29	2.46	0.22	1.94
Rockland	0.21	0.96	0.19	1.13	0.15	0.90
Vankleek Hill	0.22	0.18	0.22	0.28	0.14	0.19
VILLAGES						
Alfred	.00	0.20	.00	0.30	.00	0.19
Casselman	0.02	0.50	0.03	0.50	0.02	0.36
L'Orignal	0.09	0.36	0.09	0.45	0.07	0.34
Plantagenet	0.01	0.14	0.01	0.23	0.01	0.16
St Isidore de P	.00	0.15	.00	0.20	.00	0.11
TOWNSHIPS						
Alfred	0.08	0.54	0.05	0.50	0.05	0.58
Caledonia	0.23	0.41	0.12	0.28	0.13	0.32
Cambridge	0.28	1.27	0.25	1.14	0.28	1.37
Clarence	0.33	1.62	0.29	1.80	0.33	2.18
Hawkesbury East	0.45	0.75	0.23	0.57	0.26	0.68
Hawkesbury West	0.43	0.44	0.30	0.45	0.31	0.50
Longueuil	0.12	0.28	0.07	0.27	0.07	0.28
Plantagenet Nor	0.16	0.61	0.12	0.69	0.14	0.81
Plantagenet Sou	0.12	0.49	0.09	0.38	0.10	0.45
Russell	0.91	1.65	0.64	1.38	0.71	1.62
COUNTY SUBTOTAL	4.00	12.00	3.00	13.00	3.00	13.00
TOTAL	4.00	12.00	3.00	13.00	3.00	13.00

NB - extra public trustees are added to ensure a minimum of 6
(ref: S59 (4) a, b Education Act)

SIMULATION OF APPORTIONMENT (NO CHANGE IN METHOD OF DETERMINING TOTAL TRUSTEE NUMBERS) FOR THE CURRENT SITUATION

Prescott & Russell
16 Total Trustees (per schedule)

	SIMULATION #8 POP (.9) & AREA (.1)		SIMULATION #9 WITH REDISTRIB TO REFLECT LOW DENSITY (<50%)		SIMULATION #11 EXTRA TRUSTEES IN LOW DENSITY AREAS (50%)	
MUNICIPALITY	PUBLIC	SEPARATE	PUBLIC	SEPARATE	PUBLIC	SEPARATE
CITY						
CITY SUBTOTAL	0.00	0.00	0.00	0.00	0.00	0.00
TOWNS						
Hawkesbury	0.27	2.22	0.26	2.17	0.29	2.46
Rockland	0.18	1.02	0.17	1.00	0.19	1.13
Vankleek Hill	0.20	0.25	0.20	0.25	0.22	0.28
VILLAGES						
Alfred	.00	0.27	.00	0.26	.00	0.30
Casselman	0.02	0.45	0.02	0.44	0.03	0.50
L'Orignal	0.08	0.41	0.08	0.39	0.09	0.45
Plantagenet	0.01	0.21	0.01	0.20	0.01	0.23
St Isidore de P	.00	0.18	.00	0.18	.00	0.20
TOWNSHIPS						
Alfred	0.07	0.57	0.08	0.88	0.09	1.00
Caledonia	0.14	0.37	0.21	0.49	0.24	0.56
Cambridge	0.26	1.19	0.22	1.01	0.25	1.14
Clarence	0.30	1.81	0.25	1.59	0.29	1.80
Hawkesbury East	0.25	0.67	0.21	1.01	0.23	1.15
Hawkesbury West	0.29	0.48	0.26	0.40	0.30	0.45
Longueuil	0.07	0.29	0.06	0.23	0.07	0.27
Plantagenet Nor	0.14	0.76	0.22	0.61	0.24	0.69
Plantagenet Sou	0.11	0.48	0.16	0.67	0.18	0.76
Russell	0.61	1.37	0.57	1.22	0.64	1.38
COUNTY SUBTOTAL	3.00	13.00	3.00	13.00	3.00	15.00
TOTAL	3.00	13.00	3.00	13.00	3.00	15.00
					3.00	13.00

BASIC # OF TRUSTEES

NB - extra public trustees are added to ensure a minimum of 6
(ref: S59 (4) a, b Education Act)

SIMULATION OF APPORTIONMENT (NO CHANGE IN METHOD OF DETERMINING TOTAL TRUSTEE NUMBERS) FOR BILL 30

Prescott & Russell
Public Trustees only - # depends upon method of apportionment

	SIMULATION #1 STATUS QUO		SIMULATION #3 REP BY POP TOTAL POP "SUPPORTERS"		SIMULATION #6 POP & AREA (LOG AREA)	
MUNICIPALITY	PUBLIC	SEPARATE	PUBLIC	SEPARATE	PUBLIC	SEPARATE
CITY						
CITY SUBTOTAL	0.00	0.00	0.00	0.00	0.00	0.00
TOWNS						
Hawkesbury	0.34	0.00	0.29	0.00	0.22	0.00
Rockland	0.21	0.00	0.19	0.00	0.15	0.00
Vankleek Hill	0.22	0.00	0.22	0.00	0.14	0.00
VILLAGES						
Alfred	.00	0.00	.00	0.00	.00	0.00
Casselman	0.02	0.00	0.03	0.00	0.02	0.00
L'Orignal	0.09	0.00	0.09	0.00	0.07	0.00
Plantagenet	0.01	0.00	0.01	0.00	0.01	0.00
St Isidore de P	.00	0.00	.00	0.00	.00	0.00
TOWNSHIPS						
Alfred	0.08	0.00	0.05	0.00	0.05	0.00
Caledonia	0.23	0.00	0.12	0.00	0.13	0.00
Cambridge	0.28	0.00	0.25	0.00	0.28	0.00
Clarence	0.33	0.00	0.29	0.00	0.33	0.00
Hawkesbury East	0.45	0.00	0.23	0.00	0.26	0.00
Hawkesbury West	0.43	0.00	0.30	0.00	0.31	0.00
Longueuil	0.12	0.00	0.07	0.00	0.07	0.00
Plantagenet Nor	0.16	0.00	0.12	0.00	0.14	0.00
Plantagenet Sou	0.12	0.00	0.09	0.00	0.10	0.00
Russell	0.91	0.00	0.64	0.00	0.71	0.00
COUNTY SUBTOTAL	4.00	0.00	3.00	0.00	3.00	0.00
TOTAL	4.00	0.00	3.00	0.00	3.00	0.00

NB - Section 59 (4) a, b specifies a minimum of 6 public trustees for a board the size of Prescott Russell if public trustees are in the minority

SIMULATION OF APPORTIONMENT (NO CHANGE IN METHOD OF DETERMINING TOTAL TRUSTEE NUMBERS) FOR BILL 30

Prescott & Russell
Public Trustees only - # depends upon method of apportionment

	SIMULATION #8 POP (.9) & AREA (.1)		SIMULATION #9 WITH REDISTRIB TO REFLECT LOW DENSITY (<50%)		SIMULATION #11 EXTRA TRUSTEES IN LOW DENSITY AREAS (50%)	
MUNICIPALITY	PUBLIC	SEPARATE	PUBLIC	SEPARATE	PUBLIC	SEPARATE
CITY						
CITY SUBTOTAL	0.00	0.00	0.00	0.00	0.00	0.00
TOWNS						
Hawkesbury	0.27	0.00	0.26	0.00	0.29	0.00
Rockland	0.18	0.00	0.17	0.00	0.19	0.00
Vankleek Hill	0.20	0.00	0.20	0.00	0.22	0.00
VILLAGES						
Alfred	.00	0.00	.00	0.00	.00	0.00
Casselman	0.02	0.00	0.02	0.00	0.03	0.00
L'Orignal	0.08	0.00	0.08	0.00	0.09	0.00
Plantagenet	0.01	0.00	0.01	0.00	0.01	0.00
St Isidore de P	.00	0.00	.00	0.00	.00	0.00
TOWNSHIPS						
Alfred	0.07	0.00	0.08	0.00	0.09	0.00
Caledonia	0.14	0.00	0.21	0.00	0.24	0.00
Cambridge	0.26	0.00	0.22	0.00	0.25	0.00
Clarence	0.30	0.00	0.25	0.00	0.29	0.00
Hawkesbury East	0.25	0.00	0.21	0.00	0.23	0.00
Hawkesbury West	0.29	0.00	0.26	0.00	0.30	0.00
Longueuil	0.07	0.00	0.06	0.00	0.07	0.00
Plantagenet Nor	0.14	0.00	0.22	0.00	0.24	0.00
Plantagenet Sou	0.11	0.00	0.16	0.00	0.18	0.00
Russell	0.61	0.00	0.57	0.00	0.64	0.00
COUNTY SUBTOTAL	3.00	0.00	3.00	0.00	3.00	0.00
TOTAL	3.00	0.00	3.00	0.00	3.00	0.00
					3.00	0.00

BASIC # OF TRUSTEES

NB - Section 59 (4) a, b specifies a minimum of 6 public trustees for a board the size of Prescott Russell if public trustees are in the minority

SIMULATION OF APPORTIONMENT (NO CHANGE IN METHOD OF DETERMINING TOTAL TRUSTEE NUMBERS) FOR BILL 75

Prescott & Russell
10 French Trustees + 8 English-language Trustees

	SIMULATION #1 STATUS QUO		SIMULATION #3 REP BY POP TOTAL POP "SUPPORTERS"		SIMULATION #6 POP & AREA (LOG AREA)	
MUNICIPALITY	PUBLIC	SEPARATE	PUBLIC	SEPARATE	PUBLIC	SEPARATE
CITY						
CITY SUBTOTAL	0.00	0.00	0.00	0.00	0.00	0.00
TOWNS						
Hawkesbury	0.17	0.96	0.20	1.51	0.15	1.20
Rockland	0.11	0.64	0.13	0.70	0.10	0.56
Vankleek Hill	0.11	0.12	0.15	0.17	0.09	0.12
VILLAGES						
Alfred	.00	0.13	.00	0.18	.00	0.12
Casselman	0.01	0.34	0.02	0.31	0.01	0.22
L'Orignal	0.04	0.24	0.06	0.27	0.04	0.21
Plantagenet	0.01	0.09	0.01	0.14	0.01	0.10
St Isidore de P	.00	0.10	.00	0.12	.00	0.07
TOWNSHIPS						
Alfred	0.04	0.36	0.03	0.31	0.03	0.36
Caledonia	0.12	0.28	0.08	0.17	0.09	0.20
Cambridge	0.14	0.84	0.17	0.70	0.19	0.84
Clarence	0.16	1.08	0.19	1.11	0.22	1.34
Hawkesbury East	0.22	0.50	0.15	0.35	0.18	0.42
Hawkesbury West	0.22	0.30	0.20	0.28	0.21	0.31
Longueuil	0.06	0.18	0.05	0.16	0.05	0.17
Plantagenet Nor	0.08	0.41	0.08	0.43	0.09	0.50
Plantagenet Sou	0.06	0.33	0.06	0.23	0.07	0.27
Russell	0.45	1.10	0.43	0.85	0.48	0.99
COUNTY SUBTOTAL	2.00	8.00	2.00	8.00	2.00	8.00
TOTAL	2.00	8.00	2.00	8.00	2.00	8.00

SIMULATION OF APPORTIONMENT (NO CHANGE IN METHOD OF DETERMINING TOTAL TRUSTEE NUMBERS) FOR BILL 75

Prescott & Russell
10 French Trustees + 8 English-language Trustees

	SIMULATION #8 POP (.9) & AREA (.1)		SIMULATION #9 WITH REDISTRIB TO REFLECT LOW DENSITY (<50%)		SIMULATION #11 EXTRA TRUSTEES IN LOW DENSITY AREAS (50%)	
MUNICIPALITY	PUBLIC	SEPARATE	PUBLIC	SEPARATE	PUBLIC	SEPARATE
CITY						
CITY SUBTOTAL	0.00	0.00	0.00	0.00	0.00	0.00
TOWNS						
Hawkesbury	0.18	1.36	0.17	1.33	0.20	1.51
Rockland	0.12	0.63	0.12	0.62	0.13	0.70
Vankleek Hill	0.13	0.16	0.13	0.15	0.15	0.17
VILLAGES						
Alfred	.00	0.16	.00	0.16	.00	0.18
Casselman	0.02	0.28	0.01	0.27	0.02	0.31
L'Orignal	0.06	0.25	0.05	0.24	0.06	0.27
Plantagenet	0.01	0.13	0.01	0.12	0.01	0.14
St Isidore de P	.00	0.11	.00	0.11	.00	0.12
TOWNSHIPS						
Alfred	0.05	0.35	0.05	0.54	0.06	0.61
Caledonia	0.09	0.23	0.14	0.30	0.16	0.34
Cambridge	0.18	0.73	0.15	0.62	0.17	0.70
Clarence	0.20	1.11	0.17	0.98	0.19	1.11
Hawkesbury East	0.16	0.41	0.14	0.62	0.15	0.71
Hawkesbury West	0.19	0.30	0.18	0.25	0.20	0.28
Longueuil	0.05	0.18	0.04	0.14	0.05	0.16
Plantagenet Nor	0.09	0.47	0.14	0.38	0.16	0.43
Plantagenet Sou	0.07	0.29	0.11	0.41	0.12	0.47
Russell	0.41	0.84	0.38	0.75	0.43	0.85
COUNTY SUBTOTAL	2.00	8.00	2.00	8.00	2.00	9.00
TOTAL	2.00	8.00	2.00	8.00	2.00	9.00
					2.00	8.00

BASIC # OF TRUSTEES

SIMULATION OF APPORTIONMENT (NO CHANGE IN METHOD OF DETERMINING TOTAL TRUSTEE NUMBERS) FOR BILL 30 & BILL 75 (ENROLMENT CONSTANT)

Prescott & Russell
2 Public Trustees (French)

	2 included English + 1 added English		1 included English + 2 added English		1 included English + 2 added English	
	SIMULATION #1 STATUS QUO		SIMULATION #3 REP BY POP TOTAL POP "SUPPORTERS"		SIMULATION #6 POP & AREA (LOG AREA)	
MUNICIPALITY	PUBLIC	SEPARATE	PUBLIC	SEPARATE	PUBLIC	SEPARATE
CITY						
CITY SUBTOTAL	0.00	0.00	0.00	0.00	0.00	0.00
TOWNS						
Hawkesbury	0.17	0.00	0.20	0.00	0.15	0.00
Rockland	0.11	0.00	0.13	0.00	0.10	0.00
Vankleek Hill	0.11	0.00	0.15	0.00	0.09	0.00
VILLAGES						
Alfred	.00	0.00	.00	0.00	.00	0.00
Casselman	0.01	0.00	0.02	0.00	0.01	0.00
L'Orignal	0.04	0.00	0.06	0.00	0.04	0.00
Plantagenet	0.01	0.00	0.01	0.00	0.01	0.00
St Isidore de P	.00	0.00	.00	0.00	.00	0.00
TOWNSHIPS						
Alfred	0.04	0.00	0.03	0.00	0.03	0.00
Caledonia	0.12	0.00	0.08	0.00	0.09	0.00
Cambridge	0.14	0.00	0.17	0.00	0.19	0.00
Clarence	0.16	0.00	0.19	0.00	0.22	0.00
Hawkesbury East	0.22	0.00	0.15	0.00	0.18	0.00
Hawkesbury West	0.22	0.00	0.20	0.00	0.21	0.00
Longueuil	0.06	0.00	0.05	0.00	0.05	0.00
Plantagenet Nor	0.08	0.00	0.08	0.00	0.09	0.00
Plantagenet Sou	0.06	0.00	0.06	0.00	0.07	0.00
Russell	0.45	0.00	0.43	0.00	0.48	0.00
COUNTY SUBTOTAL	2.00	0.00	2.00	0.00	2.00	0.00
TOTAL	2.00	0.00	2.00	0.00	2.00	0.00

NB - Section 59 (4) a, b specifies a minimum of 6 public trustees for a board the size of Prescott & Russell if public trustees are in the minority. Minority-language trustees, whether included in the basic total number of trustees on the board or additional to it, would not be apportioned among municipalities under the terms of Bill 75.

SIMULATION OF APPORTIONMENT (NO CHANGE IN METHOD OF DETERMINING TOTAL TRUSTEE NUMBERS) FOR BILL 30 & BILL 75 (ENROLMENT CONSTANT)

Prescott & Russell
2 Public Trustees (French)

	1 included English + 2 added English SIMULATION #8 POP (.9) & AREA (.1)		1 included English + 2 added English SIMULATION #9 WITH REDISTRIB TO REFLECT LOW DENSITY (<50%)		1 included English + 2 added English SIMULATION #11 EXTRA TRUSTEES IN LOW DENSITY AREAS (50%)	
MUNICIPALITY	PUBLIC	SEPARATE	PUBLIC	SEPARATE	PUBLIC	SEPARATE
CITY						
CITY SUBTOTAL	0.00	0.00	0.00	0.00	0.00	0.00
TOWNS						
Hawkesbury	0.18	0.00	0.17	0.00	0.20	0.00
Rockland	0.12	0.00	0.12	0.00	0.13	0.00
Vankleek Hill	0.13	0.00	0.13	0.00	0.15	0.00
VILLAGES						
Alfred	.00	0.00	.00	0.00	.00	0.00
Casselman	0.02	0.00	0.01	0.00	0.02	0.00
L'Orignal	0.06	0.00	0.05	0.00	0.06	0.00
Plantagenet	0.01	0.00	0.01	0.00	0.01	0.00
St Isidore de P	.00	0.00	.00	0.00	.00	0.00
TOWNSHIPS						
Alfred	0.05	0.00	0.05	0.00	0.06	0.00
Caledonia	0.09	0.00	0.14	0.00	0.16	0.00
Cambridge	0.18	0.00	0.15	0.00	0.17	0.00
Clarence	0.20	0.00	0.17	0.00	0.19	0.00
Hawkesbury East	0.16	0.00	0.14	0.00	0.15	0.00
Hawkesbury West	0.19	0.00	0.18	0.00	0.20	0.00
Longueuil	0.05	0.00	0.04	0.00	0.05	0.00
Plantagenet Nor	0.09	0.00	0.14	0.00	0.16	0.00
Plantagenet Sou	0.07	0.00	0.11	0.00	0.12	0.00
Russell	0.41	0.00	0.38	0.00	0.43	0.00
COUNTY SUBTOTAL	2.00	0.00	2.00	0.00	2.00	0.00
TOTAL	2.00	0.00	2.00	0.00	2.00	0.00
					2.00	0.00
					BASIC # OF TRUSTEES	

NB - Section 59 (4) a, b specifies a minimum of 6 public trustees for a board the size of Prescott & Russell if public trustees are in the minority. Minority-language trustees, whether included in the basic total number of trustees on the board or additional to it, would not be apportioned among municipalities under the terms of Bill 75.

SIMULATION OF APPORTIONMENT (NO CHANGE IN METHOD OF DETERMINING TOTAL TRUSTEE NUMBERS) FOR BILL 30 & BILL 75 (ENROLMENT SHIFTS)

Prescott & Russell
Public Trustees only - # depends upon method of apportionment
+ 3 added French-language Trustees

	SIMULATION #1 STATUS QUO		SIMULATION #3 REP BY POP TOTAL POP "SUPPORTERS"		SIMULATION #6 POP & AREA (LOG AREA)	
MUNICIPALITY	PUBLIC	SEPARATE	PUBLIC	SEPARATE	PUBLIC	SEPARATE
CITY						
CITY SUBTOTAL	0.00	0.00	0.00	0.00	0.00	0.00
TOWNS						
Hawkesbury	0.34	0.00	0.29	0.00	0.22	0.00
Rockland	0.21	0.00	0.19	0.00	0.15	0.00
Vankleek Hill	0.22	0.00	0.22	0.00	0.14	0.00
VILLAGES						
Alfred	.00	0.00	.00	0.00	.00	0.00
Casselman	0.02	0.00	0.03	0.00	0.02	0.00
L'Orignal	0.09	0.00	0.09	0.00	0.07	0.00
Plantagenet	0.01	0.00	0.01	0.00	0.01	0.00
St Isidore de P	.00	0.00	.00	0.00	.00	0.00
TOWNSHIPS						
Alfred	0.08	0.00	0.05	0.00	0.05	0.00
Caledonia	0.23	0.00	0.12	0.00	0.13	0.00
Cambridge	0.28	0.00	0.25	0.00	0.28	0.00
Clarence	0.33	0.00	0.29	0.00	0.33	0.00
Hawkesbury East	0.45	0.00	0.23	0.00	0.26	0.00
Hawkesbury West	0.43	0.00	0.30	0.00	0.31	0.00
Longueuil	0.12	0.00	0.07	0.00	0.07	0.00
Plantagenet Nor	0.16	0.00	0.12	0.00	0.14	0.00
Plantagenet Sou	0.12	0.00	0.09	0.00	0.10	0.00
Russell	0.91	0.00	0.64	0.00	0.71	0.00
COUNTY SUBTOTAL	4.00	0.00	3.00	0.00	3.00	0.00
TOTAL	4.00	0.00	3.00	0.00	3.00	0.00

NB - Section 59 (4) a, b specifies a minimum of 6 public trustees for a board the size of Prescott & Russell if public trustees are in the minority. Minority-language trustees, whether included in the basic total number of trustees on the board or additional to it, would not be apportioned among municipalities under the terms of Bill 75.

SIMULATION OF APPORTIONMENT (NO CHANGE IN METHOD OF DETERMINING TOTAL TRUSTEE NUMBERS) FOR BILL 30 & BILL 75 (ENROLMENT SHIFTS)

Prescott & Russell
Public Trustees only - # depends upon method of apportionment
+ 3 added French-language Trustees

	SIMULATION #8 POP (.9) & AREA (.1)		SIMULATION #9 WITH REDISTRIB TO REFLECT LOW DENSITY (<50%)		SIMULATION #11 EXTRA TRUSTEES IN LOW DENSITY AREAS (50%)	
MUNICIPALITY	PUBLIC	SEPARATE	PUBLIC	SEPARATE	PUBLIC	SEPARATE
CITY						
CITY SUBTOTAL	0.00	0.00	0.00	0.00	0.00	0.00
TOWNS						
Hawkesbury	0.27	0.00	0.26	0.00	0.29	0.00
Rockland	0.18	0.00	0.17	0.00	0.19	0.00
Vankleek Hill	0.20	0.00	0.20	0.00	0.22	0.00
VILLAGES						
Alfred	.00	0.00	.00	0.00	.00	0.00
Casselman	0.02	0.00	0.02	0.00	0.03	0.00
L'Orignal	0.08	0.00	0.08	0.00	0.09	0.00
Plantagenet	0.01	0.00	0.01	0.00	0.01	0.00
St Isidore de P	.00	0.00	.00	0.00	.00	0.00
TOWNSHIPS						
Alfred	0.07	0.00	0.08	0.00	0.09	0.00
Caledonia	0.14	0.00	0.21	0.00	0.24	0.00
Cambridge	0.26	0.00	0.22	0.00	0.25	0.00
Clarence	0.30	0.00	0.25	0.00	0.29	0.00
Hawkesbury East	0.25	0.00	0.21	0.00	0.23	0.00
Hawkesbury West	0.29	0.00	0.26	0.00	0.30	0.00
Longueuil	0.07	0.00	0.06	0.00	0.07	0.00
Plantagenet Nor	0.14	0.00	0.22	0.00	0.24	0.00
Plantagenet Sou	0.11	0.00	0.16	0.00	0.18	0.00
Russell	0.61	0.00	0.57	0.00	0.64	0.00
COUNTY SUBTOTAL	3.00	0.00	3.00	0.00	3.00	0.00
TOTAL	3.00	0.00	3.00	0.00	3.00	0.00
					3.00	0.00

BASIC # OF TRUSTEES

NB - Section 59 (4) a, b specifies a minimum of 6 public trustees for a board the size of Prescott & Russell if public trustees are in the minority. Minority-language trustees, whether included in the basic total number of trustees on the board or additional to it, would not be apportioned among municipalities under the terms of Bill 75.

SIMULATION OF APPORTIONMENT (USING THE ADDITIVE METHOD TO DETERMINE BASIC REPRESENTATION) FOR THE CURRENT SITUATION

Prescott & Russell
3 Public, 13 Separate Trustees

	SIMULATION #1 STATUS QUO		SIMULATION #3 REP BY POP TOTAL POP "SUPPORTERS"		SIMULATION #6 POP & AREA (LOG AREA)	
MUNICIPALITY	PUBLIC	SEPARATE	PUBLIC	SEPARATE	PUBLIC	SEPARATE
CITY						
CITY SUBTOTAL	0.00	0.00	0.00	0.00	0.00	0.00
TOWNS						
Hawkesbury	0.25	1.56	0.29	2.46	0.22	1.94
Rockland	0.16	1.04	0.19	1.13	0.15	0.90
Vankleek Hill	0.16	0.20	0.22	0.28	0.14	0.19
VILLAGES						
Alfred	.00	0.22	.00	0.30	.00	0.19
Casselman	0.02	0.55	0.03	0.50	0.02	0.36
L'Orignal	0.07	0.39	0.09	0.45	0.07	0.34
Plantagenet	0.01	0.15	0.01	0.23	0.01	0.16
St Isidore de P	.00	0.17	.00	0.20	.00	0.11
TOWNSHIPS						
Alfred	0.06	0.59	0.05	0.50	0.05	0.58
Caledonia	0.17	0.45	0.12	0.28	0.13	0.32
Cambridge	0.21	1.37	0.25	1.14	0.28	1.37
Clarence	0.24	1.75	0.29	1.80	0.33	2.18
Hawkesbury East	0.34	0.81	0.23	0.57	0.26	0.68
Hawkesbury West	0.32	0.48	0.30	0.45	0.31	0.50
Longueuil	0.09	0.30	0.07	0.27	0.07	0.28
Plantagenet Nor	0.12	0.66	0.12	0.69	0.14	0.81
Plantagenet Sou	0.09	0.54	0.09	0.38	0.10	0.45
Russell	0.68	1.79	0.64	1.38	0.71	1.62
COUNTY SUBTOTAL	3.00	13.00	3.00	13.00	3.00	13.00
TOTAL	3.00	13.00	3.00	13.00	3.00	13.00

SIMULATION OF APPORTIONMENT (USING THE ADDITIVE METHOD TO DETERMINE BASIC REPRESENTATION) FOR THE CURRENT SITUATION

Prescott & Russell
3 Public, 13 Separate Trustees

	SIMULATION #8 POP (.9) & AREA (.1)		SIMULATION #9 WITH REDISTRIB TO REFLECT LOW DENSITY (<50%)		SIMULATION #11 EXTRA TRUSTEES IN LOW DENSITY AREAS (50%)	
MUNICIPALITY	PUBLIC	SEPARATE	PUBLIC	SEPARATE	PUBLIC	SEPARATE
CITY						
CITY SUBTOTAL	0.00	0.00	0.00	0.00	0.00	0.00
TOWNS						
Hawkesbury	0.27	2.22	0.26	2.17	0.29	2.46
Rockland	0.18	1.02	0.17	1.00	0.19	1.13
Vankleek Hill	0.20	0.25	0.20	0.25	0.22	0.28
VILLAGES						
Alfred	.00	0.27	.00	0.26	.00	0.30
Casselman	0.02	0.45	0.02	0.44	0.03	0.50
L'Orignal	0.08	0.41	0.08	0.39	0.09	0.45
Plantagenet	0.01	0.21	0.01	0.20	0.01	0.23
St Isidore de P	.00	0.18	.00	0.18	.00	0.20
TOWNSHIPS						
Alfred	0.07	0.57	0.08	0.88	0.09	1.00
Caledonia	0.14	0.37	0.21	0.49	0.24	0.56
Cambridge	0.26	1.19	0.22	1.01	0.25	1.14
Clarence	0.30	1.81	0.25	1.59	0.29	1.80
Hawkesbury East	0.25	0.67	0.21	1.01	0.23	1.15
Hawkesbury West	0.29	0.48	0.26	0.40	0.30	0.45
Longueuil	0.07	0.29	0.06	0.23	0.07	0.27
Plantagenet Nor	0.14	0.76	0.22	0.61	0.24	0.69
Plantagenet Sou	0.11	0.48	0.16	0.67	0.18	0.76
Russell	0.61	1.37	0.57	1.22	0.64	1.38
COUNTY SUBTOTAL	3.00	13.00	3.00	13.00	3.00	15.00
TOTAL	3.00	13.00	3.00	13.00	3.00	15.00
					3.00	13.00

BASIC # OF TRUSTEES

SIMULATION OF APPORTIONMENT (USING THE ADDITIVE METHOD TO DETERMINE BASIC REPRESENTATION) FOR BILL 30

Prescott & Russell
11 (Public) Trustees

	SIMULATION #1 STATUS QUO		SIMULATION #3 REP BY POP TOTAL POP "SUPPORTERS"		SIMULATION #6 POP & AREA (LOG AREA)	
MUNICIPALITY	PUBLIC	SEPARATE	PUBLIC	SEPARATE	PUBLIC	SEPARATE
CITY						
CITY SUBTOTAL	0.00	0.00	0.00	0.00	0.00	0.00
TOWNS						
Hawkesbury	0.93	0.00	1.08	0.00	0.81	0.00
Rockland	0.58	0.00	0.71	0.00	0.54	0.00
Vankleek Hill	0.59	0.00	0.81	0.00	0.51	0.00
VILLAGES						
Alfred	0.01	0.00	0.01	0.00	0.01	0.00
Casselman	0.06	0.00	0.09	0.00	0.06	0.00
L'Orignal	0.24	0.00	0.34	0.00	0.24	0.00
Plantagenet	0.03	0.00	0.05	0.00	0.03	0.00
St Isidore de P	.00	0.00	0.01	0.00	.00	0.00
TOWNSHIPS						
Alfred	0.23	0.00	0.17	0.00	0.19	0.00
Caledonia	0.64	0.00	0.44	0.00	0.49	0.00
Cambridge	0.77	0.00	0.91	0.00	1.04	0.00
Clarence	0.90	0.00	1.05	0.00	1.21	0.00
Hawkesbury East	1.23	0.00	0.85	0.00	0.97	0.00
Hawkesbury West	1.19	0.00	1.09	0.00	1.15	0.00
Longueuil	0.32	0.00	0.25	0.00	0.26	0.00
Plantagenet Nor	0.45	0.00	0.45	0.00	0.50	0.00
Plantagenet Sou	0.32	0.00	0.33	0.00	0.37	0.00
Russell	2.50	0.00	2.36	0.00	2.62	0.00
COUNTY SUBTOTAL	11.00	0.00	11.00	0.00	11.00	0.00
TOTAL	11.00	0.00	11.00	0.00	11.00	0.00

SIMULATION OF APPORTIONMENT (USING THE ADDITIVE METHOD TO DETERMINE BASIC REPRESENTATION) FOR BILL 30

Prescott & Russell
11 (Public) Trustees

	SIMULATION #8 POP (.9) & AREA (.1)		SIMULATION #9 WITH REDISTRIB TO REFLECT LOW DENSITY (<50%)		SIMULATION #11 EXTRA TRUSTEES IN LOW DENSITY AREAS (50%)	
MUNICIPALITY	PUBLIC	SEPARATE	PUBLIC	SEPARATE	PUBLIC	SEPARATE
CITY						
CITY SUBTOTAL	0.00	0.00	0.00	0.00	0.00	0.00
TOWNS						
Hawkesbury	0.97	0.00	0.96	0.00	1.08	0.00
Rockland	0.65	0.00	0.63	0.00	0.71	0.00
Vankleek Hill	0.73	0.00	0.72	0.00	0.81	0.00
VILLAGES						
Alfred	0.01	0.00	0.01	0.00	0.01	0.00
Casselman	0.09	0.00	0.08	0.00	0.09	0.00
L'Orignal	0.31	0.00	0.30	0.00	0.34	0.00
Plantagenet	0.05	0.00	0.04	0.00	0.05	0.00
St Isidore de P	0.01	0.00	0.01	0.00	0.01	0.00
TOWNSHIPS						
Alfred	0.25	0.00	0.30	0.00	0.34	0.00
Caledonia	0.50	0.00	0.78	0.00	0.88	0.00
Cambridge	0.96	0.00	0.81	0.00	0.91	0.00
Clarence	1.10	0.00	0.93	0.00	1.05	0.00
Hawkesbury East	0.90	0.00	0.76	0.00	0.85	0.00
Hawkesbury West	1.05	0.00	0.97	0.00	1.09	0.00
Longueuil	0.27	0.00	0.23	0.00	0.25	0.00
Plantagenet Nor	0.52	0.00	0.79	0.00	0.89	0.00
Plantagenet Sou	0.41	0.00	0.58	0.00	0.66	0.00
Russell	2.23	0.00	2.09	0.00	2.36	0.00
COUNTY SUBTOTAL	11.00	0.00	11.00	0.00	12.00	0.00
TOTAL	11.00	0.00	11.00	0.00	12.00	0.00
					11.00	0.00

BASIC # OF TRUSTEES

SIMULATION OF APPORTIONMENT (USING THE ADDITIVE METHOD TO DETERMINE BASIC REPRESENTATION) FOR BILL 75

Prescott & Russell
10 (French) Trustees, 6 English-language Trustees

	SIMULATION #1 STATUS QUO		SIMULATION #3 REP BY POP TOTAL POP "SUPPORTERS"		SIMULATION #6 POP & AREA (LOG AREA)	
MUNICIPALITY	PUBLIC	SEPARATE	PUBLIC	SEPARATE	PUBLIC	SEPARATE
CITY						
CITY SUBTOTAL	0.00	0.00	0.00	0.00	0.00	0.00
TOWNS						
Hawkesbury	0.17	0.96	0.20	1.51	0.15	1.20
Rockland	0.11	0.64	0.13	0.70	0.10	0.56
Vankleek Hill	0.11	0.12	0.15	0.17	0.09	0.12
VILLAGES						
Alfred	.00	0.13	.00	0.18	.00	0.12
Casselman	0.01	0.34	0.02	0.31	0.01	0.22
L'Orignal	0.04	0.24	0.06	0.27	0.04	0.21
Plantagenet	0.01	0.09	0.01	0.14	0.01	0.10
St Isidore de P	.00	0.10	.00	0.12	.00	0.07
TOWNSHIPS						
Alfred	0.04	0.36	0.03	0.31	0.03	0.36
Caledonia	0.12	0.28	0.08	0.17	0.09	0.20
Cambridge	0.14	0.84	0.17	0.70	0.19	0.84
Clarence	0.16	1.08	0.19	1.11	0.22	1.34
Hawkesbury East	0.22	0.50	0.15	0.35	0.18	0.42
Hawkesbury West	0.22	0.30	0.20	0.28	0.21	0.31
Longueuil	0.06	0.18	0.05	0.16	0.05	0.17
Plantagenet Nor	0.08	0.41	0.08	0.43	0.09	0.50
Plantagenet Sou	0.06	0.33	0.06	0.23	0.07	0.27
Russell	0.45	1.10	0.43	0.85	0.48	0.99
COUNTY SUBTOTAL	2.00	8.00	2.00	8.00	2.00	8.00
TOTAL	2.00	8.00	2.00	8.00	2.00	8.00

SIMULATION OF APPORTIONMENT (USING THE ADDITIVE METHOD TO DETERMINE BASIC REPRESENTATION) FOR BILL 75

Prescott & Russell
10 (French) Trustees, 6 English-language Trustees

	SIMULATION #8 POP (.9) & AREA (.1)		SIMULATION #9 WITH REDISTRIB TO REFLECT LOW DENSITY (<50%)		SIMULATION #11 EXTRA TRUSTEES IN LOW DENSITY AREAS (50%)	
MUNICIPALITY	PUBLIC	SEPARATE	PUBLIC	SEPARATE	PUBLIC	SEPARATE
CITY						
CITY SUBTOTAL	0.00	0.00	0.00	0.00	0.00	0.00
TOWNS						
Hawkesbury	0.18	1.36	0.17	1.33	0.20	1.51
Rockland	0.12	0.63	0.12	0.62	0.13	0.70
Vankleek Hill	0.13	0.16	0.13	0.15	0.15	0.17
VILLAGES						
Alfred	.00	0.16	.00	0.16	.00	0.18
Casselman	0.02	0.28	0.01	0.27	0.02	0.31
L'Orignal	0.06	0.25	0.05	0.24	0.06	0.27
Plantagenet	0.01	0.13	0.01	0.12	0.01	0.14
St Isidore de P	.00	0.11	.00	0.11	.00	0.12
TOWNSHIPS						
Alfred	0.05	0.35	0.05	0.54	0.06	0.61
Caledonia	0.09	0.23	0.14	0.30	0.16	0.34
Cambridge	0.18	0.73	0.15	0.62	0.17	0.70
Clarence	0.20	1.11	0.17	0.98	0.19	1.11
Hawkesbury East	0.16	0.41	0.14	0.62	0.15	0.71
Hawkesbury West	0.19	0.30	0.18	0.25	0.20	0.28
Longueuil	0.05	0.18	0.04	0.14	0.05	0.16
Plantagenet Nor	0.09	0.47	0.14	0.38	0.16	0.43
Plantagenet Sou	0.07	0.29	0.11	0.41	0.12	0.47
Russell	0.41	0.84	0.38	0.75	0.43	0.85
COUNTY SUBTOTAL	2.00	8.00	2.00	8.00	2.00	9.00
TOTAL	2.00	8.00	2.00	8.00	2.00	9.00
					2.00	8.00
					BASIC # OF TRUSTEES	

SIMULATION OF APPORTIONMENT (USING THE ADDITIVE METHOD TO DETERMINE BASIC REPRESENTATION) FOR BILL 30 & BILL 75 (ENROLMENT CONSTANT)

Prescott & Russell
6 (French Public) Trustees + 5 English-Language Trustees

	SIMULATION #1 STATUS QUO		SIMULATION #3 REP BY POP TOTAL POP "SUPPORTERS"		SIMULATION #6 POP & AREA (LOG AREA)	
MUNICIPALITY	PUBLIC	SEPARATE	PUBLIC	SEPARATE	PUBLIC	SEPARATE
CITY						
CITY SUBTOTAL	0.00	0.00	0.00	0.00	0.00	0.00
TOWNS						
Hawkesbury	0.50	0.00	0.59	0.00	0.44	0.00
Rockland	0.32	0.00	0.39	0.00	0.29	0.00
Vankleek Hill	0.32	0.00	0.44	0.00	0.28	0.00
VILLAGES						
Alfred	.00	0.00	0.01	0.00	.00	0.00
Casselman	0.03	0.00	0.05	0.00	0.03	0.00
L'Orignal	0.13	0.00	0.19	0.00	0.13	0.00
Plantagenet	0.02	0.00	0.03	0.00	0.02	0.00
St Isidore de P	.00	0.00	.00	0.00	.00	0.00
TOWNSHIPS						
Alfred	0.13	0.00	0.09	0.00	0.10	0.00
Caledonia	0.35	0.00	0.24	0.00	0.27	0.00
Cambridge	0.42	0.00	0.50	0.00	0.57	0.00
Clarence	0.49	0.00	0.57	0.00	0.66	0.00
Hawkesbury East	0.67	0.00	0.46	0.00	0.53	0.00
Hawkesbury West	0.65	0.00	0.59	0.00	0.63	0.00
Longueuil	0.18	0.00	0.14	0.00	0.14	0.00
Plantagenet Nor	0.25	0.00	0.24	0.00	0.27	0.00
Plantagenet Sou	0.18	0.00	0.18	0.00	0.20	0.00
Russell	1.36	0.00	1.29	0.00	1.43	0.00
COUNTY SUBTOTAL	6.00	0.00	6.00	0.00	6.00	0.00
TOTAL	6.00	0.00	6.00	0.00	6.00	0.00

SIMULATION OF APPORTIONMENT (USING THE ADDITIVE METHOD TO DETERMINE BASIC REPRESENTATION) FOR BILL 30 & BILL 75 (ENROLMENT CONSTANT)

Prescott & Russell
6 (French Public) Trustees + 5 English-Language Trustees

	SIMULATION #8 POP (.9) & AREA (.1)		SIMULATION #9 WITH REDISTRIB TO REFLECT LOW DENSITY (<50%)		SIMULATION #11 EXTRA TRUSTEES IN LOW DENSITY AREAS (50%)	
MUNICIPALITY	PUBLIC	SEPARATE	PUBLIC	SEPARATE	PUBLIC	SEPARATE
CITY						
CITY SUBTOTAL	0.00	0.00	0.00	0.00	0.00	0.00
TOWNS						
Hawkesbury	0.53	0.00	0.52	0.00	0.59	0.00
Rockland	0.35	0.00	0.35	0.00	0.39	0.00
Vankleek Hill	0.40	0.00	0.39	0.00	0.44	0.00
VILLAGES						
Alfred	0.01	0.00	0.01	0.00	0.01	0.00
Casselman	0.05	0.00	0.04	0.00	0.05	0.00
L'Orignal	0.17	0.00	0.16	0.00	0.19	0.00
Plantagenet	0.03	0.00	0.02	0.00	0.03	0.00
St Isidore de P	.00	0.00	.00	0.00	.00	0.00
TOWNSHIPS						
Alfred	0.14	0.00	0.16	0.00	0.18	0.00
Caledonia	0.27	0.00	0.43	0.00	0.48	0.00
Cambridge	0.53	0.00	0.44	0.00	0.50	0.00
Clarence	0.60	0.00	0.51	0.00	0.57	0.00
Hawkesbury East	0.49	0.00	0.41	0.00	0.46	0.00
Hawkesbury West	0.57	0.00	0.53	0.00	0.59	0.00
Longueuil	0.15	0.00	0.12	0.00	0.14	0.00
Plantagenet Nor	0.28	0.00	0.43	0.00	0.49	0.00
Plantagenet Sou	0.22	0.00	0.32	0.00	0.36	0.00
Russell	1.22	0.00	1.14	0.00	1.29	0.00
COUNTY SUBTOTAL	6.00	0.00	6.00	0.00	7.00	0.00
TOTAL	6.00	0.00	6.00	0.00	7.00	0.00
					6.00	0.00
					BASIC # OF TRUSTEES	

SIMULATION OF APPORTIONMENT (USING THE ADDITIVE METHOD TO DETERMINE BASIC REPRESENTATION) FOR BILL 30 & BILL 75 (ENROLMENT SHIFTS)

Prescott & Russell
11 (Public) Trustees, no French-language Trustees

	SIMULATION #1 STATUS QUO		SIMULATION #3 REP BY POP TOTAL POP "SUPPORTERS"		SIMULATION #6 POP & AREA (LOG AREA)	
MUNICIPALITY	PUBLIC	SEPARATE	PUBLIC	SEPARATE	PUBLIC	SEPARATE
CITY						
CITY SUBTOTAL	0.00	0.00	0.00	0.00	0.00	0.00
TOWNS						
Hawkesbury	0.93	0.00	1.08	0.00	0.81	0.00
Rockland	0.58	0.00	0.71	0.00	0.54	0.00
Vankleek Hill	0.59	0.00	0.81	0.00	0.51	0.00
VILLAGES						
Alfred	0.01	0.00	0.01	0.00	0.01	0.00
Casselman	0.06	0.00	0.09	0.00	0.06	0.00
L'Orignal	0.24	0.00	0.34	0.00	0.24	0.00
Plantagenet	0.03	0.00	0.05	0.00	0.03	0.00
St Isidore de P	.00	0.00	0.01	0.00	.00	0.00
TOWNSHIPS						
Alfred	0.23	0.00	0.17	0.00	0.19	0.00
Caledonia	0.64	0.00	0.44	0.00	0.49	0.00
Cambridge	0.77	0.00	0.91	0.00	1.04	0.00
Clarence	0.90	0.00	1.05	0.00	1.21	0.00
Hawkesbury East	1.23	0.00	0.85	0.00	0.97	0.00
Hawkesbury West	1.19	0.00	1.09	0.00	1.15	0.00
Longueuil	0.32	0.00	0.25	0.00	0.26	0.00
Plantagenet Nor	0.45	0.00	0.45	0.00	0.50	0.00
Plantagenet Sou	0.32	0.00	0.33	0.00	0.37	0.00
Russell	2.50	0.00	2.36	0.00	2.62	0.00
COUNTY SUBTOTAL	11.00	0.00	11.00	0.00	11.00	0.00
TOTAL	11.00	0.00	11.00	0.00	11.00	0.00

SIMULATION OF APPORTIONMENT (USING THE ADDITIVE METHOD TO DETERMINE BASIC REPRESENTATION) FOR BILL 30 & BILL 75 (ENROLMENT SHIFTS)

Prescott & Russell
11 (Public) Trustees, no French-language Trustees

	SIMULATION #8 POP (.9) & AREA (.1)		SIMULATION #9 WITH REDISTRIB TO REFLECT LOW DENSITY (<50%)		SIMULATION #11 EXTRA TRUSTEES IN LOW DENSITY AREAS (50%)	
MUNICIPALITY	PUBLIC	SEPARATE	PUBLIC	SEPARATE	PUBLIC	SEPARATE
CITY						
CITY SUBTOTAL	0.00	0.00	0.00	0.00	0.00	0.00
TOWNS						
Hawkesbury	0.97	0.00	0.96	0.00	1.08	0.00
Rockland	0.65	0.00	0.63	0.00	0.71	0.00
Vankleek Hill	0.73	0.00	0.72	0.00	0.81	0.00
VILLAGES						
Alfred	0.01	0.00	0.01	0.00	0.01	0.00
Casselman	0.09	0.00	0.08	0.00	0.09	0.00
L'Orignal	0.31	0.00	0.30	0.00	0.34	0.00
Plantagenet	0.05	0.00	0.04	0.00	0.05	0.00
St Isidore de P	0.01	0.00	0.01	0.00	0.01	0.00
TOWNSHIPS						
Alfred	0.25	0.00	0.30	0.00	0.34	0.00
Caledonia	0.50	0.00	0.78	0.00	0.88	0.00
Cambridge	0.96	0.00	0.81	0.00	0.91	0.00
Clarence	1.10	0.00	0.93	0.00	1.05	0.00
Hawkesbury East	0.90	0.00	0.76	0.00	0.85	0.00
Hawkesbury West	1.05	0.00	0.97	0.00	1.09	0.00
Longueuil	0.27	0.00	0.23	0.00	0.25	0.00
Plantagenet Nor	0.52	0.00	0.79	0.00	0.89	0.00
Plantagenet Sou	0.41	0.00	0.58	0.00	0.66	0.00
Russell	2.23	0.00	2.09	0.00	2.36	0.00
COUNTY SUBTOTAL	11.00	0.00	11.00	0.00	12.00	0.00
TOTAL	11.00	0.00	11.00	0.00	12.00	0.00
					11.00	0.00

BASIC # OF TRUSTEES

SIMULATION OF APPORTIONMENT (NO CHANGE IN METHOD OF DETERMINING BASIC REPRESENTATION) FOR THE CURRENT SITUATION

Prescott & Russell RCSS
12 Trustees

	SIMULATION #1 STATUS QUO	SIMULATION #3 REP BY POP TOTAL POP "SUPPORTERS"	SIMULATION #6 POP & AREA (LOG AREA)
MUNICIPALITY	SEPARATE	SEPARATE	SEPARATE
CITY			
CITY SUBTOTAL	0.00	0.00	0.00
TOWNS			
Hawkesbury	1.46	2.27	1.79
Rockland	0.97	1.05	0.83
Vankleek Hill	0.18	0.26	0.17
VILLAGES			
Alfred	0.20	0.27	0.17
Casselman	0.51	0.46	0.33
L'Orignal	0.37	0.41	0.31
Plantagenet	0.14	0.21	0.15
St Isidore de P	0.16	0.19	0.11
TOWNSHIPS			
Alfred	0.55	0.46	0.53
Caledonia	0.42	0.26	0.30
Cambridge	1.28	1.05	1.26
Clarence	1.64	1.66	2.02
Hawkesbury East	0.76	0.53	0.63
Hawkesbury West	0.37	0.42	0.46
Longueuil	0.32	0.24	0.26
Plantagenet Nor	0.80	0.64	0.75
Plantagenet Sou	0.50	0.35	0.41
Russell	1.36	1.27	1.49
COUNTY SUBTOTAL	12.00	12.00	12.00
TOTAL	12.00	12.00	12.00

SIMULATION OF APPORTIONMENT (NO CHANGE IN METHOD OF DETERMINING BASIC REPRESENTATION) FOR THE CURRENT SITUATION

Prescott & Russell RCSS
12 Trustees

MUNICIPALITY	SIMULATION #8 POP (.9) & AREA (.1) SEPARATE	SIMULATION #9 REP BY POP w REDISTRIB TO REFLECT LOW DENSITY (<50%) SEPARATE	SIMULATION #11 REP BY POP w EXTRA TRUSTEES TO REFLECT LOW DENSITY (<50%) SEPARATE
CITY			
CITY SUBTOTAL	0.00	0.00	0.00
TOWNS			
Hawkesbury	2.05	2.00	2.27
Rockland	0.95	0.92	1.05
Vankleek Hill	0.23	0.23	0.26
VILLAGES			
Alfred	0.25	0.24	0.27
Casselman	0.42	0.41	0.46
L'Orignal	0.37	0.36	0.41
Plantagenet	0.19	0.19	0.21
St Isidore de P	0.17	0.16	0.19
TOWNSHIPS			
Alfred	0.52	0.81	0.92
Caledonia	0.34	0.45	0.51
Cambridge	1.10	0.93	1.05
Clarence	1.67	1.46	1.66
Hawkesbury East	0.62	0.93	1.06
Hawkesbury West	0.45	0.37	0.42
Longueuil	0.27	0.22	0.24
Plantagenet Nor	0.70	0.56	0.64
Plantagenet Sou	0.44	0.62	0.70
Russell	1.27	1.12	1.27
COUNTY SUBTOTAL	12.00	12.00	14.00
TOTAL	12.00	12.00	14.00
			12.00

BASIC # TRUSTEES

SIMULATION OF APPORTIONMENT (NO CHANGE IN METHOD OF DETERMINING BASIC REPRESENTATION) FOR BILL 75

Prescott & Russell RCSS
12 Trustees + 3 added English-language Trustees

	SIMULATION #1 STATUS QUO	SIMULATION #3 REP BY POP TOTAL POP "SUPPORTERS"	SIMULATION #6 POP & AREA (LOG AREA)
MUNICIPALITY	SEPARATE	SEPARATE	SEPARATE
CITY			
CITY SUBTOTAL	0.00	0.00	0.00
TOWNS			
Hawkesbury	1.46	2.27	1.79
Rockland	0.97	1.05	0.83
Vankleek Hill	0.18	0.26	0.17
VILLAGES			
Alfred	0.20	0.27	0.17
Casselman	0.51	0.46	0.33
L'Orignal	0.37	0.41	0.31
Plantagenet	0.14	0.21	0.15
St Isidore de P	0.16	0.19	0.11
TOWNSHIPS			
Alfred	0.55	0.46	0.53
Caledonia	0.42	0.26	0.30
Cambridge	1.28	1.05	1.26
Clarence	1.64	1.66	2.02
Hawkesbury East	0.76	0.53	0.63
Hawkesbury West	0.37	0.42	0.46
Longueuil	0.32	0.24	0.26
Plantagenet Nor	0.80	0.64	0.75
Plantagenet Sou	0.50	0.35	0.41
Russell	1.36	1.27	1.49
COUNTY SUBTOTAL	12.00	12.00	12.00
TOTAL	12.00	12.00	12.00

SIMULATION OF APPORTIONMENT (NO CHANGE IN METHOD OF DETERMINING BASIC REPRESENTATION) FOR BILL 75

Prescott & Russell RCSS
12 Trustees + 3 added English-language Trustees

MUNICIPALITY	SIMULATION #8 POP (.9) & AREA (.1) SEPARATE	SIMULATION #9 REP BY POP w REDISTRIB TO REFLECT LOW DENSITY (<50%) SEPARATE	SIMULATION #11 REP BY POP w EXTRA TRUSTEES TO REFLECT LOW DENSITY (<50%) SEPARATE
CITY			
CITY SUBTOTAL	0.00	0.00	0.00
TOWNS			
Hawkesbury	2.05	2.00	2.27
Rockland	0.95	0.92	1.05
Vankleek Hill	0.23	0.23	0.26
VILLAGES			
Alfred	0.25	0.24	0.27
Casselman	0.42	0.41	0.46
L'Orignal	0.37	0.36	0.41
Plantagenet	0.19	0.19	0.21
St Isidore de P	0.17	0.16	0.19
TOWNSHIPS			
Alfred	0.52	0.81	0.92
Caledonia	0.34	0.45	0.51
Cambridge	1.10	0.93	1.05
Clarence	1.67	1.46	1.66
Hawkesbury East	0.62	0.93	1.06
Hawkesbury West	0.45	0.37	0.42
Longueuil	0.27	0.22	0.24
Plantagenet Nor	0.70	0.56	0.64
Plantagenet Sou	0.44	0.62	0.70
Russell	1.27	1.12	1.27
COUNTY SUBTOTAL	12.00	12.00	14.00
TOTAL	12.00	12.00	14.00
			12.00 BASIC # TRUSTEES

SIMULATION OF APPORTIONMENT (USING THE ADDITIVE METHOD TO DETERMINE BASIC REPRESENTATION) FOR THE CURRENT SITUATION

Prescott & Russell RCSS
13 Trustees

	SIMULATION #1 STATUS QUO	SIMULATION #3 REP BY POP TOTAL POP "SUPPORTERS"	SIMULATION #6 POP & AREA (LOG AREA)
MUNICIPALITY	SEPARATE	SEPARATE	SEPARATE
CITY			
CITY SUBTOTAL	0.00	0.00	0.00
TOWNS			
Hawkesbury	1.58	2.46	1.94
Rockland	1.05	1.13	0.90
Vankleek Hill	0.20	0.28	0.19
VILLAGES			
Alfred	0.22	0.30	0.19
Casselman	0.55	0.50	0.36
L'Orignal	0.40	0.45	0.34
Plantagenet	0.16	0.23	0.16
St Isidore de P	0.17	0.20	0.11
TOWNSHIPS			
Alfred	0.60	0.50	0.58
Caledonia	0.45	0.28	0.32
Cambridge	1.39	1.14	1.37
Clarence	1.78	1.80	2.18
Hawkesbury East	0.83	0.57	0.68
Hawkesbury West	0.40	0.45	0.50
Longueuil	0.35	0.27	0.28
Plantagenet Nor	0.87	0.69	0.81
Plantagenet Sou	0.54	0.38	0.45
Russell	1.47	1.38	1.62
COUNTY SUBTOTAL	13.00	13.00	13.00
TOTAL	13.00	13.00	13.00

SIMULATION OF APPORTIONMENT (USING THE ADDITIVE METHOD TO DETERMINE BASIC REPRESENTATION) FOR THE CURRENT SITUATION

Prescott & Russell RCSS
13 Trustees

	SIMULATION #8 POP (.9) & AREA (.1)	SIMULATION #9 REP BY POP w REDISTRIB TO REFLECT LOW DENSITY (<50%)	SIMULATION #11 REP BY POP w EXTRA TRUSTEES TO REFLECT LOW DENSITY (<50%)
MUNICIPALITY	SEPARATE	SEPARATE	SEPARATE
CITY			
CITY SUBTOTAL	0.00	0.00	0.00
TOWNS			
Hawkesbury	2.22	2.17	2.46
Rockland	1.02	1.00	1.13
Vankleek Hill	0.25	0.25	0.28
VILLAGES			
Alfred	0.27	0.26	0.30
Casselman	0.45	0.44	0.50
L'Orignal	0.41	0.39	0.45
Plantagenet	0.21	0.20	0.23
St Isidore de P	0.18	0.18	0.20
TOWNSHIPS			
Alfred	0.57	0.88	1.00
Caledonia	0.37	0.49	0.56
Cambridge	1.19	1.01	1.14
Clarence	1.81	1.59	1.80
Hawkesbury East	0.67	1.01	1.15
Hawkesbury West	0.48	0.40	0.45
Longueuil	0.29	0.23	0.27
Plantagenet Nor	0.76	0.61	0.69
Plantagenet Sou	0.48	0.67	0.76
Russell	1.37	1.22	1.38
COUNTY SUBTOTAL	13.00	13.00	15.00
TOTAL	13.00	13.00	15.00
			13.00 BASIC # TRUSTEES

SIMULATION OF APPORTIONMENT (USING THE ADDITIVE METHOD TO DETERMINE BASIC REPRESENTATION) FOR BILL 75

Prescott & Russell RCSS
13 Trustees + 3 English-Language Trustees

	SIMULATION #1 STATUS QUO	SIMULATION #3 REP BY POP TOTAL POP "SUPPORTERS"	SIMULATION #6 POP & AREA (LOG AREA)
MUNICIPALITY	SEPARATE	SEPARATE	SEPARATE
CITY			
CITY SUBTOTAL	0.00	0.00	0.00
TOWNS			
Hawkesbury	1.58	2.46	1.94
Rockland	1.05	1.13	0.90
Vankleek Hill	0.20	0.28	0.19
VILLAGES			
Alfred	0.22	0.30	0.19
Casselman	0.55	0.50	0.36
L'Orignal	0.40	0.45	0.34
Plantagenet	0.16	0.23	0.16
St Isidore de P	0.17	0.20	0.11
TOWNSHIPS			
Alfred	0.60	0.50	0.58
Caledonia	0.45	0.28	0.32
Cambridge	1.39	1.14	1.37
Clarence	1.78	1.80	2.18
Hawkesbury East	0.83	0.57	0.68
Hawkesbury West	0.40	0.45	0.50
Longueuil	0.35	0.27	0.28
Plantagenet Nor	0.87	0.69	0.81
Plantagenet Sou	0.54	0.38	0.45
Russell	1.47	1.38	1.62
COUNTY SUBTOTAL	13.00	13.00	13.00
TOTAL	13.00	13.00	13.00

SIMULATION OF APPORTIONMENT (USING THE ADDITIVE METHOD TO DETERMINE BASIC REPRESENTATION) FOR BILL 75

Prescott & Russell RCSS
13 Trustees + 3 English-Language Trustees

MUNICIPALITY	SIMULATION #8 POP (.9) & AREA (.1) SEPARATE	SIMULATION #9 REP BY POP w REDISTRIB TO REFLECT LOW DENSITY (<50%) SEPARATE	SIMULATION #11 REP BY POP w EXTRA TRUSTEES TO REFLECT LOW DENSITY (<50%) SEPARATE
CITY			
CITY SUBTOTAL	0.00	0.00	0.00
TOWNS			
Hawkesbury	2.22	2.17	2.46
Rockland	1.02	1.00	1.13
Vankleek Hill	0.25	0.25	0.28
VILLAGES			
Alfred	0.27	0.26	0.30
Casselman	0.45	0.44	0.50
L'Orignal	0.41	0.39	0.45
Plantagenet	0.21	0.20	0.23
St Isidore de P	0.18	0.18	0.20
TOWNSHIPS			
Alfred	0.57	0.88	1.00
Caledonia	0.37	0.49	0.56
Cambridge	1.19	1.01	1.14
Clarence	1.81	1.59	1.80
Hawkesbury East	0.67	1.01	1.15
Hawkesbury West	0.48	0.40	0.45
Longueuil	0.29	0.23	0.27
Plantagenet Nor	0.76	0.61	0.69
Plantagenet Sou	0.48	0.67	0.76
Russell	1.37	1.22	1.38
COUNTY SUBTOTAL	13.00	13.00	15.00
TOTAL	13.00	13.00	15.00
			13.00 BASIC # TRUSTEES